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SECRETARY TAFT'S TABLE ON BOARD THE MANCHURIA

Front Row: Col. Edwards, Miss Roosevelt, Rep. Longworth

Middle: Mrs. Newlands, Secretary Taft, Miss Boardman

Rear: Rep. Parsons, Capt. Thompson, Miss McMillan, Rep. Gillett, Mrs. Parsons, Sen. Newlands

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CONGRESSIONAL JUNKET IN JAPAN

THE TAFT PARTY OF 1905 MEETS THE MIKADO

by ELSIE CLEWS PARSONS [1]

IN APRIL 1905 we went to Washington, house hunting for our Congressional term. Incidentally, we were booked as members of the much-heralded Taft party to the Philippines. H. had had a lively desire to meet Secretary Taft, & so one morning I put on a smart hat and dress and met H. at the War Department. The interview was charming. Taft had already urged H. to go

[1] This fragmentary account was found recently among the papers of Mrs. Herbert Parsons (1875–1941), anthropologist and author of *The Family*, *The Old-Fashioned Woman*, *Folklore of the Antilles*, *Pueblo Indian Religion* and other works. Her story on Japan was written in the fall of 1906 as the opening chapter of a projected book "Memoirs of Washington & Outlying Provinces: 1905, by a Political Wife." The pseudonym may be taken literally since the writer evidently decided that continuation and publication of the account would be quite impolitic while her husband remained in Congress. Herbert Parsons (1869–1925) served three terms in the House of Representatives from 1905 to 1911 and was a member of its Committee on Insular Affairs; during much of this time he was likewise Republican Chairman for New York County. He is the "H." of the memoir, and a letter of his on departure from Japan is quoted to supplement his wife's account. The annotation is provided by John E. Parsons and the illustrations come from his parents' papers.

on the trip and now he included me, so together we emphasized the worthwhileness of it upon H. Taft was a huge man, and massiveness was the one overpowering impression of him until he talked and smiled. His fairy godmother gave him his smile; his laugh too. He made a stronger and more immediate appeal, emotionally and necessarily to a certain extent intellectually, to one's sympathy than any man I ever met. Later I came to realize that this magical effect was universal. Another of the secrets of charm he very fully possessed, the power of detachment & of living, childlike, in the passing moment. And this too altho' he was plainly tired. He did not look robust; there was a bluish tinge under his eyes and to his lips. Many a time later, however, one wondered at his staying power.

From the Secretary's office we went to the Bureau of Insular Affairs to enroll in the party. What a contrast to his chief was the head of this Bureau, Col. Edwards,[2] a spare, erect man, consequential, self-conscious, and vain as only the military man and the "self-made," successful business man can be. The contrast occurred to one over and over again on the trip, for the Secretary and his Chief of Bureau sat facing one another at the two ends of one of the steamer *Manchuria's* saloon tables. Edwards was more than a foil to the Secretary, he was also a live example of Taft's tolerance and magnanimity for other people's idiosyncracies or shortcomings. Edwards was a very competent man, and a faithful public servant. He also had a strong and winning sense of personal loyalty. His other traits Taft overlooked, when he did not smile at them.

Col. Edwards was the Cook of this Cook's Tour, a very able one, he proved too—and, after taking me in, he urged us to put our names down for our berths on the spot. The time had come to pay up or shut up, he said, betraying some of the trials he had already gone through.

I have hinted at the fact that my smart clothes and I may say

[2] Colonel, later Brig. Gen., Clarence R. Edwards, U.S.A. (1859–1931), was Chief of the Bureau of Insular Affairs, 1902–1913. He accompanied Secretary Taft on another trip to Japan and the Philippines in 1907.

frivolous manners may have been an asset on this occasion and later I fully appreciated why. There proved to be such a dearth of both on the party. Among us in fact were only two women of personal distinction—Mrs. Senator Newlands, handsome and gracious and witty, and Miss Mabel Boardman, the reorganizer of the American Red Cross.

The method of make up of the party had been much gossiped about in and out of Washington. Col. Edwards assured me that, petty stories to the contrary, every member of Congress was free to come. I guessed, however, that some had been urged and some had not; and very wisely members of important committees, lukewarm or even hostile to Philippine interests, were among the former. "We have all our enemies with us" was a favorite stage whisper of the Colonel's.

The allocation of expenses was also a matter of critical gossip, particularly in fault-finding newspapers; but the trip cost Uncle Sam very little. The Philippine government appropriated $10,000 for the education of their educators, so to speak. The "better halves," as Taft always referred to the wives of the colonial students in his archaic matrimonial jokes, paid all their own expenses, or their husbands did.[3] As a matter of fact the Philippine appropriation covered only mileage and a minimum daily board allowance. Much extra expense fell on all. For example, Taft & his military staff of four had themselves to pay the fees of over $100 which a residence of three or four days at one of the imperial palaces in Tokio entailed.

The *Manchuria*, a Pacific Mail steamship, sailed from San Francisco July 8. The party congregated in San Francisco from different points and via different routes. Most of us, including Taft and Miss Roosevelt, stayed at the famous old Palace Hotel. The Palace Hotel together with the greater part of the San Francisco that we saw at that time was annihilated by the earth-

[3] Col. Edwards' estimate of overall expenses from Washington to Manila and return was $643 per capita, against which Members of Congress received an allowance of $380. There were seven Senators and twenty-four Representatives on the party, and a score of wives.

quake and fire of the following spring; so that my impressions of the place seem to have become acute in the curious way that one remembers the dead. It was a picturesque city as hilly cities can hardly miss being, particularly those that are dowered with river or ocean to look down upon.

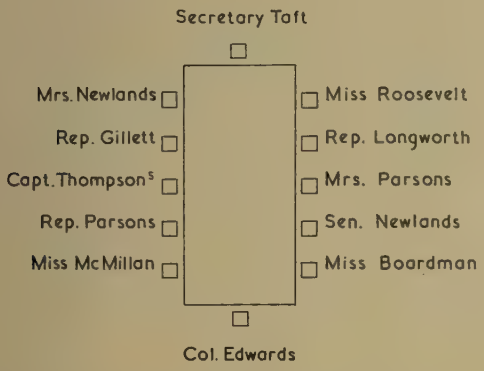
The corridors of the Palace Hotel were filled with a "rubber neck" heterogeneous crowd. The Secretary and Alice Roosevent were dining there. We had a chance fully to appreciate for the first time what an attraction for the American public Alice, as everybody called her, was. To many, perhaps to most, Alice *was* the party. This was so outside as well as inside the country, before the trip, during the trip, and after the trip. Many times after our return, the only question that was asked me of experiences and impressions was "How did you like Alice?" "How did Alice behave?" In Japan and in the Philippines her éclat was of course due to the fact that she was the daughter of the President and of a President who probably loomed bigger to the eyes of all the world, and just then particularly to Japanese eyes, than any American president ever had; but in the United States there was undoubtedly in addition a sentimental regard for or curiosity about the girl herself.

Criticism of her manners was often heard from New Yorkers and a notion of her as "wild" seemed to be held in the West as far as I could judge from the remarks of my chance acquaintances; nevertheless everywhere people wanted to like her and to find her pretty and attractive. She was pretty. She had soft, wavy, reddish brown hair, large dark eyes, and a tall, graceful figure. She had a remarkable gift for mimicry, she was a shrewd observer of people, and, *when she wanted*, she could be a very diverting young person.[4]

[4] In her own memoirs, *Crowded Hours* (New York: 1933) p. 69, Alice Roosevelt Longworth wrote:

"It was a huge Congressional party, a 'junket' if ever there was one. . . . [Mr. Taft] felt it his duty on one or two occasions to make me curtain lectures, explaining that he was responsible to Father for my conduct. They were always justified, and more 'in sorrow than in anger.' He was never out of temper, possibly he was just a little too good humored. I never had the least awe of him. I always felt that I could 'get away with' whatever it was he objected to."

Our bustling and mishapless departure next morning was very gay. Perhaps I enjoyed most as an anticipation of the East the sight of our Chinese sailors and of the little group of Chinese women who waved goodbyes from the dock to their steerage friends. As we moved away a shower of little colored papers thrown aloft by the orientals to bring good luck filled the air. It was amusing too to guess about our fellow passengers. Most luckily we found we were to sit at the Secretary's table. Fortu-



nately for several of us and perhaps for himself too the Secretary had decided to waive "rank" at his table. Perhaps he foresaw that there would have to be ample consideration of it later.

The Secretary was fond of sitting for a long time after meals at the table. Then those of us who liked to hear him talk—I for one did above everything else—moved down to his end. The Colonel and his girls (as we called Misses Boardman and McMillan),[6] Alice Roosevelt and "Nick"[7] always left early. The Secretary, H. and I were very apt to outstay even the others.

[5] Capt. James K. Thompson, U.S.A. (1862–1910), was disbursing officer for the party and aide-de-camp to Secretary Taft.

[6] Miss Mabel T. Boardman and Miss Amy McMillan of Washington, D. C. For Miss Boardman's account of the trip, see "A Woman's Impressions of the Philippines," *The Outlook*, February 24, 1906, vol. 82, p. 435.

[7] Nicholas Longworth (1869–1931), Republican Congressman from Ohio, Speaker of the House, 1925–1931. He and Miss Roosevelt were married at the White House February 17, 1906.

Senator Newlands,[8] who was an enthusiastic follower of Mr. Bryan, was much interested in the subjects of federal incorporation and government ownership of railroads. (He had just published an article on national incorporation in the *North American Review* which he gave me to read.) He told us that he was very reluctantly coming to believe in government ownership. (This was a year before Bryan's famous homecoming declaration for it.) Taft did not believe in it [at] all. It would so complicate government administration, he said, and he emphatically repudiated Newlands' suggestion that the project for railroad building in the Philippines offered a timely opportunity for government ownership, saying that Newlands wanted to try government ownership "on the dog."

With Senator Newlands' views about increase of salaries for the higher positions in the government Taft was in greater accord. Newlands said that he thought of introducing a bill raising the salary of the Chief Justice from $13,000 to $25,000 and that of the other justices from $12,500 to $20,000. Taft concurred with this proposition, but thought that only $20,000 and $15,000 could be "passed." (He said that he had been determined to elevate the judiciary in the Philippines and so stood out for raising the salary of judge there to $10,000.) How about Cabinet officers, the Senator queried of the Secretary. "I can only talk from personal experience," answered Taft. "I receive $8,000 and I spend twice that. When Mr. Roosevelt wrote asking me to come into the Cabinet, I declined. I said it was too expensive. He wrote back saying that he wanted Jeffersonian simplicity among his Cabinet officers. Mrs. Taft's lip curled over that."

The Senator thought that Cabinet officers should get as much as the Chief Justice. "If you raise my salary to $15,000 I shall be grateful," smiled back Taft.[9] He suggested that the Congress

[8] Francis G. Newlands (1848–1917), Democratic Senator from Nevada. His second wife Edith was the daughter of Hall McAllister, a leader of the San Francisco bar. See Arthur B. Darling (ed.), *The Public Papers of Francis G. Newlands* (New York: 1932), vol. 1, p. 3.

[9] Helen Herron Taft, *Recollections of Full Years* (New York: 1914), p. 278, notes that her husband's salary as Secretary of War was eventually raised to $12,000.

hould vote to increase the salaries of its members at the close of each man's term of office, thereby relieving the situation of he odium that attached to the salary grab bill where an increase was voted during the pending terms. He continued: "As Governor of the Philippines I got $20,000 and a house, but the entertaining cost me as much as when I was Commissioner with $15,000 and no house. During the acrimonious discussion before the Congressional committees about these Philippine salaries I testified that in no year had I saved more than $1,500 and in one or two not that much." We talked of the anti-democratic working out of an inadequate salary system, Taft arguing that it was preposterous for a democracy so to order things that only rich men could hold office.

One day after this talk the Secretary gave me the rare treat of sitting down next to me on deck and telling me the story of his life. He told me of his New England forebears, of his parents, his brothers, his going to school with his wife-to-be, and of his early legal career. In talking of his brothers he told me how it was one of them, Charles, who had made possible his going into the Cabinet on his return from the Philippines by a munificent gift of securities which yielded the necessary additional income.

In this same conversation he said that his life-long ambition had been to become Chief Justice, and he repudiated my suggestion of the Presidency instead. It was folly for a man to get that bee in his bonnet, he said. Next spring in Washington when a decision as to whether or not he would accept retiring Justice Brown's place on the Supreme Bench was imminent, the alternative being implicitly a reservation of himself for presidential candidate in 1908, the Secretary told me that the Bench was still his choice, but not that of Mrs. Taft and his brothers. Mrs. Taft believed that a more active life was better for him. He thought too that he was disqualified as a popular presidential candidate by his early labor injunctions when he was judge of the Federal Circuit Court in Ohio.[10]

[10] These labor cases of 1894 are discussed in Herbert S. Duffy, *William Howard Taft* (New York: 1931), pp. 36–45.

AFTER DECK, S.S. MANCHURIA

Left to Right: Miss Roosevelt, Rep. Parsons, Mrs. Parsons, Secretary Taft, Mrs. Newlands, Capt. Thompson, Capt. Kelly

Our table talk was not always of a serious character, altho' Taft used to dub Senator Newlands and me "the heavy middle layer." There was plenty of amusing general conversation, of personalities and jokes. Taft loved both to hear and tell a joke. Nor did he ever claim as his own other people's wit. I wish I could remember more of his great fund of humorous stories. Two I recall. Old Grosvenor,[11] our witty fellow congressman from Ohio, told him, he said with a chuckle, that in his speech at Berkeley he forgot to say in retort to Congressman De Armond's [12] anti-imperialistic criticism against our projecting ourselves into other people's business that if we hadn't projected ourselves into Missouri, he, De Armond, would be jibbering in Spanish now instead of in English. Again telling how he had lunched with the Japanese generals at the War Office on the

[11] Charles H. Grosvenor (1833–1917), Republican Congressman from Ohio, and brevet brigadier general, U.S.V., by reason of service in the Civil War.

[12] David A. De Armond (1844–1909), Democratic Congressman from Missouri.

ve of the Russian-Japanese war, he said that the Governor of Formosa said to him, "We had a hard time in Formosa; sometimes we had to kill, 20, 30, 35 thousand, you know, you know?" nd with a laugh added "all butchers together." [13] The Japanese generals, Taft said, had been elated over their military prospects, but were less sanguine about their navy. "There they had all heir eggs in one basket."

Then Taft talked of course a great deal about the Philippines, both humorously and gravely—humorously because he held that hey were like adolescent children and were often not to be taken eriously, gravely because he did after all take their potentiality for development seriously. He had no faith in efforts for "higher education" in the Islands. But he said that the natives wanted it nd had shown eagerness to get secondary schools, making voluntary contributions to them. If we did not provide them, they would send their sons to Spanish schools. The strong native opposition to having girls taught by men teachers, the administration had had to override merely from a dearth of women teachers. He was very denunciatory of the three American newspapers of Manila and of the "dirty dog American" as he called the type which seemed to be only too rife there. He undoubtedly had a high faith in the policy of "benevolent assimilation," fully believing that some day the natives would be fit for independence from the American point of view. As to when that day would be he was altogether uncertain, but it was not at any rate within a generation or two; and he was very impatient of premature agitation. I got the impression, too, that he had an idea that when the Filipinos were educated for separation from the U. S., they would no longer wish it.

Our whole party had lessons on the Philippines. Col. Edwards would spread out on the deck his maps showing actual and projected public works, and then we gathered around his pointer. We also had lectures from him, from James Leroy,[14] a scholarly

[13] This story is told also in Mrs. Taft's memoir, *supra*, note 9, p. 275.

[14] James A. Leroy, former secretary to Philippine Commissioner Dean C. Wor-

young man who had been secretary to one of the Commissioners and who, I believe, knew more about the Islands than anyone on board, and from an American contractor. We were as naive as a party of school children, and that was, after all, what we were, with the same sporadic interest, the same lack of perspective, and the same simple gravity which was ready at any moment, however, to break into fun. We had an amusing illustration of this last trait at one of the lectures. The Secretary had gone to sleep. He had the trick of sleeping bolt upright for a few minutes at a time on any occasion. Senator Scott [15] noticed him, and interrupting the speaker, called out in a loud voice, "I would like to ask the Secretary a question." That ended of course the Secretary's nap, and he joined in the general laugh. Our serious questions and our points of view or lack of them would no doubt have been very surprising to members of the colonial office of any European government.

Our day in Honolulu was most amusing. In spite of the music that came thro' the porthole very early in the morning, I was late in getting on deck. Nor did I regret it. The charmingly incongruous sight on the companionway of smiling, white-haired, ruddy-faced, large-paunched Congressman Sereno E. Payne,[16] head and neck begarlanded with wreaths of pink carnations, was all the more diverting for its unexpectedness. The reception committee had showered little commemorative brooches and wreaths of pink and scarlet carnations on all the party. To white-bearded old General Grosvenor, with his sleepy and withal twinkling

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cester, and author of *The Americans in the Philippines* (Boston: 1914). He reported the trip in "With Taft in Japan," *The Independent*, September 14, 1905, vol. 59, p. 627, and in "The Outcome of the Taft Commission," *The World Today*, January 1906, vol. 10, p. 51.

[15] Nathan B. Scott (1842–1924), Republican Senator from West Virginia.

Before the next lecture Colonel Edwards announced with a twinkle: "All who have taken their afternoon naps are invited to the talk, but others are excluded."—*New-York Daily Tribune*, August 4, 1905.

[16] Sereno E. Payne (1843–1914), Republican Congressman from Auburn, New York, and Chairman of the Ways and Means Committee of the House. Later co-author of the Payne-Aldrich Tariff Act.

ttle eyes, the wreaths were particularly becoming. The spirits s well as the white hairs of the older people fitted the occasion. t was a long day of merrymaking—a gay landing, a drive to the vonderful Pali cliffs through the Americanized town and along ne green ravines that cross the island, a short railroad trip along ne shore to the Honolulu Company's sugar plantation, and a estive lunch on the beflowered verandahs of the Royal Hawaiian Hotel with a jocose speech by Taft. A trolley car ride to the quarium of amazing South Sea fish and to the Waikiki beach, a elicious warm, too warm, swim and many surf-riding trips for ome of us, and then a hastening out of the shallow, mud-flatted arbor before the tide betrayed us—this, with music at every urn, was our day.

I heard later that after lunch the Secretary and Miss Roosevelt vith Senator and Mrs. Newlands and the Misses Boardman and IcMillan—Mrs. Newlands we called the official chaperone in pite of the self-asserted claims of her senior in rank, Mrs. Dubois,[17] and the other two ladies were dubbed Alice's ladies-in-vaiting—were carried off to the seashore house of Sheriff Brown.[18]

The question of labor was an all-absorbing topic in Hawaii at he time of our visit. There was a general desire on the part of ıbor employers for a relaxation of the Chinese Exclusion Law. Every member of the reception committee was primed on the ubject. White men would not or could not work on the sugar lantations. The Japanese were restless and ambitious to move pward into clerical positions. The Chinese were far the most fficient workmen. An experiment in imported negro labor had ailed. The negroes became very homesick, said Taft.

From Hawaiian we passed to Filipino labor conditions. There ad been a demand there too for Chinese labor on the part of the Americans. Evidence as to the adequacy of native labor was con-

[17] Wife of Fred T. Dubois (1851–1930), Silver Republican Senator from Idaho and member of the Committee on the Philippines.

[18] At the time, Brown was quite a controversial figure, having been reëlected heriff of Honolulu after removal from that office by Federal Governor Carter.

flicting. One intelligent government contractor, a fellow passenger, asserted that Filipino labor was all right if certain requirements of the laborer were met. The Filipino workman would not be segregated in gangs and barracks like the Italian. Unless he had two things, his family and his cockpit, he proved a quitter; but with them he worked well and contentedly. The Filipino was worth from one-fourth to one-third of the American laborer in the United States. Of all unhung rascals, according to the contractor, the American laborer in the Philippines was the worst. Taft was unswerving in the belief that the exclusion of Chinese labor was a necessity for the development of the Filipino even if it meant a slower economic development in the Islands. Incidentally he said that it was very bad policy to send negroes to fill any government position in the country as the natives did not want them. The fact of color not being referred to in the application papers, Col. Edwards ingeniously and inoffensively secured the necessary information as to the race of applicants in the civil service by asking for their photographs.

Of all the talkers and listeners Senator Newlands seemed the most interested in labor conditions. Here as in other social-economic questions he was full of suggestions and queries. Taft called him an "amateur statesman," to H.'s delight. Their attitude to him was characteristically American. The American politician is very impatient of theory; he is only interested in the immediate, practical policy. Neither he nor those he represents have any political philosophy.

The Hawaiian spirit of gaiety staid with us. One evening the ladies Boardman and McMillan planned a sheet and pillowcase party. A corner of the saloon was the green-room and the attiring of some of the "elder statesmen" was a comical affair. Senator Scott and four or five others were stuffed out with pillows to counterfeit Taft. Congressman De Armond wore his wife's slippers, and Senator Warren [19] danced with the slim figure

[19] Francis E. Warren (1844–1929), Republican Senator and ex-Governor of Wyoming, Chairman of the Senate Committee on Military Affairs.

AFTER DECK, S.S. MANCHURIA

Left Center: Rep. Longworth, Miss Roosevelt
Right Center: Secretary Taft, Col. Edwards

never discovering its sex. I seized upon Taft to dance the Virginia Reel with me, and kept throwing him kisses across the alley which he would not return, much to my amusement, until he found me out.

Then we had a mock trial. It was a breach-of-promise case. Genial and fun-loving Senator Warren of Wyoming was the defendant. There had been much joking at Warren's expense, both as to his matrimonial designs and as to his abundant wardrobe. One day Col. Edwards, who roomed with him, impishly took some of the elder ladies in to see his assortments. Taft, McCall,[20] a Tammany Hall judge, and Linebarger,[21] on his way back to his judgeship in the Philippines, formed the court. Gil-

[20] Edward Everett McCall (1863–1924), Justice of the Supreme Court, New York.
[21] Paul M. W. Linebarger (1871–1939), of the Supreme Court of the Philippine Islands.

lett [22] was the clerk, and McIntosh,[23] our versatile and good-natured photographer, was the funniest of sheriffs, his stage properties consisting of a red beard, a flaunting collar, a "billy" and an Irish brogue and wit. Mrs. Ellen Foster,[24] of W. C. T. U. connections, Congressman Curtis,[25] the half-Indian representative of Kansas, and Sherley,[26] a talented and noble-minded, young but old-time Democratic representative from Kentucky, acted as counsel for the defendant. Gen. Grosvenor and Rep. De Armond were counsel for the plaintiff, one Marie Brown (goodlooking Mrs. Rep. Driscoll,[27] who proved to be a clever actress). Mrs. Newlands was a most amusing witness for the defendant. The line of defense was that the Senator paid marked attention to all ladies and had only in this particular case been taken too seriously.[28] Taft was, of course, full of fun, but quiet, self-contained little De Armond was the wit of the evening.

[22] Frederick H. Gillett (1851–1935), Republican Congressman and Senator from Massachusetts, Speaker of the House, 1919–1925.

[23] Burr McIntosh of New York City.

[24] Wife of Murphy J. Foster (1849–1921), Democratic Senator and ex-Governor of Louisiana.

[25] Charles Curtis (1860–1936), Republican Congressman and Senator from Kansas, Vice-President of the United States, 1929–1933.

[26] Swagar Sherley (1871–1941), Democratic Congressman from Kentucky.

[27] Wife of Michael E. Driscoll (1851–1929), Republican Congressman from Syracuse, New York.

[28] Mrs. Newlands read a letter supposedly written to her by the defendant:

"Dear One:

This has been a hard day of labor and perplexity, and internecine warfare in the Senate where the brotherhood played the devil with my bill, but your thought sustained me, your philosophy guided me, Sweet Counsellor. Would that I could ever have you at my side. Would that—but no—my pen hesitates, you understand. As to the bill. I can count on the support of a few. Hale fathers it, and Allison and Kean are friendly. It is to be attached to the bill that protects the President, members of the Cabinet and foreign Ambassadors from the dangers of assassination and reads:

'Be it further enacted that each and every Senator is protected during his term of office from the machinations of such adventuresses as bring breach of promise suits.' It is not necessary to amplify the bill, to you dearest, but it gives the proper protection necessary to men as exposed as I am. These Clarissas and Gwendolens infest my path. I realize the danger of a sentimental woman, and this is part of the sweet peace I find in you, that you are neither rash nor prudent, neither forward nor backward. Alas I could say much, much, but of what use in our complete and perfect understanding.

Unreservedly yours,

Lancelot."

S.S. MANCHURIA AT THE DOCK, YOKOHAMA

Early on the morning of July 25 we woke up to the noise of heering, the banzai that was to be always with us during the ext few days, and thro' the porthole I saw a tug filled with little rockcoated, silk-hatted Japanese, waving American and Japaese flags and sending off fantastic paper balloons. A war vessel uided us through the harbor of Yokohama close to the forts, o avoid the mines. U. S. Minister Griscom,[29] his secretaries and any Japanese, among them the two personal representatives of he Emperor who, with their wives, were to accompany us durng our whole stay in Japan, were on the dock to meet us. I shall ever forget the entrancing ten-minute riksha ride to the imerial waiting room. And yet, as I appreciated later, Yokohama as highly Europeanized. Our route was filled with a banzaiing rowd and bands of school children waved American flags at us.

[29] Lloyd C. Griscom (1872–), American Minister to Tokio, 1902–1906, later mbassador to Brazil and to Italy, for whose reminiscences about the 1905 visit see *iplomatically Speaking* (Boston: 1940), pp. 257–260.

To this letter Major Wadsworth made the following reply:

Madam

In behalf of the Officers and Men under my Command I beg leave to return to yourself and Ladies of the Stocking, Hood and Mockason Society my sincere thanks for their present of 50 Hoods 50 prs of Mittens 50 prs of Mockasons which will greatly alleviate the sufferings of the Sentinels at this bleak post.

Many are the sufferings of the Soldier probably never fully known but by experience. Without a wish to enumerate any further than your kind offices excite their recollection permit me to observe that when relief comes from a source where want surely never could dictate and from a Society of Females, it calls to the mind of the Sentinel (while pacing his Solitary Post at stormy midnight) a peaceful *Home, Wife, Children and Friends* for which he again vows to sacrifice his Life or maintain those liberties and blessings bequeathed to him by his Fathers—

With Respect and Esteem Ladies I am

Your most Obed^{t} Serv^{t}
James L. Wadsworth
Major 27th Inft^{y}
Sandy Hook

The society's Minutes of a meeting held at the home of Mrs. William Ross, January 15, 1815, state that "The Board having appropriated all the funds of the Society & having no prospect of receiving further Subscriptions or Donations resolve therefore That the Board adjourn to meet again on the 23^{d} of Jan^{y} at Mrs Bradishes for the purpose of closing the concerns of the Society and that the Secretary in the meantime prepare for publication a general Report of the proceedings of the Society." A meeting was held as scheduled, but the weather was so bad that only six members attended. Before adjourning, however, the group made provision for forwarding a small number of hoods and mittens that the society had ready for distribution, and arranged for the use of the remaining materials and cash on hand. The group also discussed a draft of the general report which the secretary had been instructed, at the January 15th meeting, to prepare.[26]

At the society's final meeting, January 27, 1815, Mrs. Bradish presented her report. This briefly summarized the creation and

[26] Minutes, January 23, 1815.

activities of the society, and its gratitude for the amount of public support received. The report also contained a statement of total cash and materials given to the society, and the number of articles distributed by it. Through donations totaling $775.25 in cash, plus a limited quantity of finished articles and various materials, and work done by members of the society, the organization had sent to needy troops a total of 137 pairs of socks and stockings, 617 hoods, 367 pairs of moccasins, and 442 pairs of mittens.

In the above distribution of Articles, [*the secretary's report stated,*] this Society, while they regret that their limited means have not enabled them to Contribute more liberally in each particular Case, have experienced much gratification from the very flattering Terms in which the receipt of the several Articles has been acknowledged by the Officers to whose Care they have been directed, and from the Assurances of those Gentlemen that they have conduced very much to the Comfort of those for whom they were intended.

On that modest and pleasing note the admirably conducted work of the Stocking, Hood and Mockason Society of New York came to a close.[27] The society's record provides an unassuming footnote to the history of the War of 1812. It is, however, a record worthy of remembrance, illustrating as it does one of the many ways in which, during that early conflict, groups of American women in perhaps countless communities devoted time and effort to the nation's defense through the alleviation of wartime distress. The record may well serve, too, as a symbol of the efforts of generations of women, concerned about their soldiers' comforts, to mitigate the consequences of governmental short-sightedness and inefficiency.

[27] *Ibid.*, January 27, 1815. See, also, Rocellus S. Guernsey, *New York City and Vicinity During the War of 1812–'15* (2 vols.; New York: 1889, 1895), II, 430–431. In evaluating the work of the society to provide troops with warm apparel, Guernsey has written: "Many donations were made for this benevolent object, and substantial benefits were derived from it by the distributions made by the officers of the army and navy in the Northern and Western borders of the United States." Minutes of the society—especially those of the November 30, 1814, meeting—quote numerous letters of appreciation from officers to whom articles were sent for distribution.

day from the outside, and I do not think this was the reason we were not invited in. Our host, altho' a man of very cultivated Japanese taste as we came to know, was thoroughly satisfied with his European goods, very proud of them, in fact, and he did not care to show us the Japanese side of his life. In this he was typical of everything that was arranged for us. And it was an extremely clever arrangement. Few members of the party would have enjoyed or appreciated old Japan and almost all were extraordinarily surprised and impressed by the luxurious living of official new Japan. The modern gold plate at the Emperor's lunch table impressed the party far more than any precious Japanese porcelain could have done. And to impress us was, after all, the prime object of our entertainers.

[*Here the memoir comes abruptly to an end, but the rest of the visit in Japan, before the Congressional party went on to its main objective, the Philippines,*[31] *is recounted in a letter home by Congressman Parsons:*]

Pacific Mail SS Co.

S.S. Manchuria

Nearing
Nagasaki
July 31, 1905

My dear Father,

We have had a most wonderful experience in Japan. Not only were we entertained lavishly but we were royally welcomed by the people. I suppose it was pursuant to order but much of the enthusiasm must have been due to our traditional friendship & Pres't Roosevelt's efforts for peace.[32] They want peace badly. Most of all they want a lasting peace. The country strikes me as very poor with little beggary. The cultivation

[31] See William H. Taft, "The Philippines Revisited," *The Independent*, November 2, 1905, vol. 59, p. 1015, and Bishop Charles H. Brent, "The Visit to the Philippines of Secretary Taft and His Party," *The Outlook*, October 14, 1905, vol. 81, p. 369.

[32] President Theodore Roosevelt proposed a peace conference to bring to an end the Russo-Japanese War which began in 1904. At the time of this letter the Russian and Japanese emissaries were in the process of gathering at Portsmouth, New Hampshire, where a treaty of peace was signed September 5, 1905.

intense. The rice paddies patch even the hillsides. All the work, even much of the irrigation, is by hand. There is no waste land.

I had no idea the country was so mountainous. It is little else except for plains in places. Today we came through the lovely inland sea, past steep mountain islands, mostly green & through the winding straits of Shimoseki. Decorated tugs had been waiting for us & escorted us through, and whistles, fire works & banzais. We passed where Rojestvensky began his fight.[33] Tuesday morning early we anchored off the entrance to the bay of Tokio. I woke at 5, sunrise, & saw a small tug, with a band, some frock-coated silk-hatted Japs, cheering wildly & setting off fireworks. A gunboat guided us through the mines. There were crowds on the Yokohama wharf. Thence we had a riksha ride, the royalty, as we call Taft & Alice Roosevelt, riding in carriages. We had all expected to stay at the hotel in Yokohama & receive some civilities. But Griscom had arranged that Taft & his staff should go to a palace, Alice Roosevelt to the Griscoms & the rest of the official party to the houses of members of the legation &c in Tokio. We together with Congressman Hill[34] & his wife were quartered on the S. Matsukatas. As we reached Tokio our train passed banzaiing crowds. The station square was a jam of people, banners & decorations. We drove off in imperial livery carriages amid a tumult of noise & the carriages were at our disposal until we left.

Elsie & I ranked last of the Congressmen & so the Griscoms could not have us but they & Irwin Laughlin[35] of Pittsburgh whom I knew at St. Paul's & Yale & who is second secretary had particularly chosen the Matsukatas for us. Matsukata is in the Japanese foreign office, was educated in Europe, is the 2d son of Count Matsukata, who was their great finance minister, & is one of the genro or elder statesmen who run the whole thing. His wife is a niece of Iwasaki,[36] the Rockefeller of Japan & her father was his partner. They have a European house attached to a Japanese house & a garden not wholly Japanese. They both spoke considerable English & were hospitality itself. We saw most of the tourist sites & did some shopping.

Wednesday at 11:30 we each made 3 bows & shook the Mikado's hand,[37] & in another room similarly greeted the princess, the empress not

[33] Admiral Rojestvensky commanded the Russian Fleet which had set out from the Baltic to relieve Port Arthur in Manchuria. It was defeated and destroyed by the Japanese Navy at Tsushima Strait on May 27, 1905.

[34] Ebenezer J. Hill (1845–1917), Republican Congressman from Connecticut.

[35] Irwin Laughlin (1871–1941), later Ambassador to Spain, 1929–1933.

[36] Yataro Iwasaki, founder of the Mitsubishi Company.

[37] The writer's diary gives further details:

"Most of us wore white gloves. McKinley of Illinois loaned his left to Otjen of Wisconsin] and wore his right. As our turns came in close file we bowed at the sill of the room, advanced 3 or 4 steps and bowed again & then advanced, shook hands with his majesty and bowed, Griscom standing on the Son of Heaven's left announcing our names. Driscoll's shoes squeaked horribly."

皇帝陛下ノ命ヲ奉シ宮内大臣茲ニ敬意ヲ致シ

パーソンヅ貴下及令夫人ヲ

明二十六日午十二時宮中ニ於テ催サルヽ午餐

ニ招請ス

明治三十八年七月廿五日

文官ハ通常礼服陸軍将校ハ禮装海軍将校ハ禮服

勲章ヲ帯用

婦人ハローブモンダント・プトレインヲ着用

公務又ハ病気ニ由リ参内致シ難キ向ハ速カニ其式部職ヘ申出ラルベシ

Déjeuner

du 26 Juillet 1905

Consommé	*Xérès*
Homard à la Princesse	*Chateau yquem*
Chartreuse de cailles	
Jambon au Madère	*Chateau Larose*
Filets de poularde	
Petits foie-gras	*Chamber'in*
Lunch à la Romaine	
Selle de mouton rôti	*Champagne frappé*
Asperges sauce mousseline	
Crème de gelée	*Essens*
Fu-ji-yama	

INVITATION AND MENU FOR LUNCH AT THE IMPERIAL PALACE

Left Card Reads: By command of the Emperor, the Imperial Minister takes pleasure in requesting the honor of Mr. and Mrs. Parsons' company at a luncheon party at the Imperial Palace at noon on July 26th.

Officials are requested to wear formal dress.

Army officers are requested to wear ceremonial uniforms.

Naval officers are requested to wear ceremonial uniforms with decorations.

Ladies are requested to wear *robes montantes à train.*

Should sickness or duty prevent the acceptance of this invitation, please inform the Officer in Charge of Ceremony as soon as possible.

being there because of illness. At 12 in the imperial dining room we lunched with him. We had already driven in through the never-opened-except-on-remarkable-occasions gate & then drove to the imperial gardens, a never-before-granted favor. Matsukata had only been in them once before. Elsie looked very well in afternoon costume, but I was in evening clothes & a Japanese silk hat, having failed to bring my own. The palace was spacious & the gardens lovely.

That evening Count Katsura,[38] the Minister for Foreign Affairs & acting prime minister, gave the party, official & unofficial (meaning by that the extras), a dinner at the Imperial Hotel. Japanese ladies were present, some in European, some in native costume. Katsura & Taft made happy speeches. Wednesday afternoon the Griscoms gave a garden party. We own these legation grounds & they are quite pretty. That evening the Japanese bankers & merchants gave the party, official & unofficial, a Japanese dinner at the Maple Club. Baron Shibusawa [39] made the speech for the Japanese. We sat on our haunches, ate iced whale with chopsticks & were waited on by geishas. There followed several plays & geisha dances on a specially constructed stage. All the Japs, men & women, were in native costume.

Friday we lunched in the Arsenal Garden with the Minister of War [40] & watched the best wrestlers of Japan clad only in narrow sashes (!) wrestle. It was a great sight.

That evening we departed by special train for Kioto. The station approach & square were masses of lantern-swinging, shouting, pushing Japs. The enthusiasm could not have been prearranged. We banzaied too. Dai Nippon teikoku banzai.[41] Throw up both hands and shout. Station after station had shouting people on it. Innumerable gifts were pre-

[38] Count Taro Katsura (1847–1913), Premier of Japan 1901–1905. The diary records: "Katsura made a speech in which he cleared his throat every 3 words & Terashima [his private secretary] translated. It spoke of the friendship that ought to exist between our countries & alluded to the return of the Shimonoseki award [indemnity of 1863 returned to Japan by the United States]. Griscom proposed the Mikado's health. [To offset this Taft toasted the Czar later in Manila.] Taft spoke very well, alluding to us as a cloud of locusts & referring happily to Takahira [Japanese Minister at Washington negotiating the peace treaty]."

[39] Baron Eiiche Shibusawa, president of the First National Bank. The diary notes: "The dinner over there was fine Japanese acting & geisha dancing on the stage. One piece was peace, plainly Russia & Japan fighting & America playing the peacemaker. Baron Shibusawa spoke well. His coughing did not equal the effect which Katsura gave the night before. Taft spoke well in reply as did Senator Warren & Gen. Grosvenor, except that the latter got on the forbidden ground of present events but he hurriedly got off."

[40] Lt. Gen. Seiki Terauchi, Minister of War.

[41] *Dai Nippon teikoku banzai* means "Imperial Japan ten thousand years."

GARDEN PARTY AT THE UNITED STATES LEGATION, TOKIO

sented to Alice Roosevelt. All Saturday morning it was the same & there was a great crowd at the Kioto station. There is much more to see at Kioto than at Tokio & we did the sights, leaving there yesterday afternoon for Kobe where we met our boat. The whole thing was wonderfully managed and the ovation is said to have exceeded that given Togo.[42] We had another geisha dance in Kioto Saturday evening, the Cherry Blossom dance being given out of season for the only time ever known.

In addition to those I have mentioned we hobnobbed with Ito,[43] Count Matsukata, Inouye,[44] Marquess Oyama [45] & all the bigwigs.

We were blessed with sufficiently good weather & bearable heat.

Aff'ly & with love to all,

HERBERT PARSONS

[42] Admiral Heihachiro Togo (1847–1934), who defeated the Russian Baltic fleet at Tsushima Strait.

[43] Marquis Hirobumi Ito (1841–1909), father of the Japanese Constitution, ex-Premier and one of the "elder statesmen." The diary notes: "Ito was glad to talk & discoursed on how he went to Russia to stop the war, saw the Czar who said the nations ought to be friends & saw the ministers who were so slow in saying anything definite that he departed."

[44] Count Kaouri Inouye (1835–1915), ex-Foreign Minister and one of the "elder statesmen."

[45] Field-Marshal Iwao Oyama (1842–1916), commander-in-chief of the Japanese armies in Manchuria.

THE THIRD ASSASSINATION

by Lt. Kenneth R. Walker

Department of History, U. S. Air Force Academy, Denver

ABSOLUTE quiet prevailed in the neighborhood of the ivy-covered Milburn house in Buffalo, New York, through the arly morning hours of September 14th. The nation had lost a President and Mrs. William McKinley had lost a husband. A eavy damp fog hung over the city and gave the air a penetrating hill. The large flag which had hung from the front of the Milburn home almost continuously since the Exposition began was ot removed. Since there was no way of half-masting it, the flag vas left draped across the front of the veranda. It was the only it of color in the gray and cheerless scene. In respect for the lead President the Pan-American Exposition gates were closed nd would remain closed until the following Monday. In the area urrounding the jail where Leon Czolgosz was confined, a handful of people stood. The assassin seemed forgotten in the general grief. James Wilson, the coroner of Buffalo, arrived at the residence at 10:00 o'clock A.M. and officially viewed the body.[1] Thus ended disastrously an episode that had begun less than eight days before in the Temple of Music at the Exposition.

Disturbed over his wife's health, President William McKinley had returned with her to Canton, Ohio, for a brief rest in the middle of August. But having promised to visit the Pan-American Exposition, he cut his vacation short, and on September 4, 1901, accompanied by his wife and two of his nieces, Miss Mary Barber and Miss Sarah Duncan, journeyed to Buffalo. Greeted by cheering crowds, he was given an enthusiastic welcome as he was driven to the home of John G. Milburn, President of the Exposition Company, where the Presidential party was to be entertained during their stay. On September 5th, McKinley met

[1] *New York Times*, September 15, 1901, p. 1, c. 1–2.

TEMPLE OF MUSIC, PAN-AMERICAN EXPOSITION, BUFFALO, 1901
Photograph owned by The Buffalo Historical Society

the Exposition crowds and delivered a speech touching on the subjects of the value of expositions, the desirability of reciprocity in foreign trade, the benefit of Pan-Americanism, and the utility of an Isthmian Canal.[2]

On the following day, Friday, September 6th, the President visited Niagara Falls with a hundred invited guests and at 3:30 P.M. arrived at the Exposition grounds. Mrs. McKinley proceeded directly to the Mission building, while the President went to the Temple of Music for the reception. A vast crowd assembled there long before he arrived. The daily organ recital was nearing its end as McKinley entered and went to the slightly raised dais at one end of the hall. Although surrounded by Secret Service detectives, the President was fully exposed to the assas-

[2] Murat Halstead and A. J. Munson, *Life and Distinguished Services of William McKinley: Our Martyr President* (Chicago: 1901), 87–90; George B. Cortelyou to Charles R. Miller, August 20, 1901, George B. Cortelyou Mss. (L. C.).

INTERIOR, TEMPLE OF MUSIC, WHERE MCKINLEY WAS SHOT, 1901

Photograph owned by The Buffalo Historical Society

sin's attack. Shortly after 4:00 P.M., a medium-sized man of ordinary appearance, dressed in black, approached in the line as if to greet the President. He was preceded in line by an Italian who shook the President's hand for a considerable time. Both John G. Milburn, who was on McKinley's left, and Secretary George B. Cortelyou on his right noticed that Czolgosz's right hand was wrapped in a handkerchief but thought nothing of it. Czolgosz extended his left hand and McKinley his right. As their fingers were about to touch, the assassin suddenly raised his swathed right hand, two shots rang out from a double-action revolver though the handkerchief, and the President staggered.[28]

[28] Louis L. Babcock, "The Assassination of President McKinley," in *Niagara Frontier Miscellany*, ed. by Robert W. Bingham [Vol. XXXIV of *Buffalo Historical Society Papers*] (Buffalo, N.Y.: 1947), 19, 24, repro. of assassin's weapon opp. p. 28. The *New York Times*, September 7, 1901, p. 1, c. 2, says: "Cortelyou who was on McKinley's left saw that this man's hand (meaning Czolgosz) was swathed in a bandage or handkerchief."

PRESIDENT WILLIAM MCKINLEY (1846–1901)
Portrait by Harry T. See, 1901
The New-York Historical Society

Immediately three men including George Parker, a Negro waiter, and Samuel R. Ireland, United States Secret Service man, grabbed the assailant and bore him to the ground. As the President staggered a detective supported him, and McKinley coolly asked, "Am I shot?" The detective unbuttoned the President's vest and seeing blood replied, "I fear you are, Mr. President." McKinley's first thought was for his wife. He told Cortelyou to be careful of Mrs. McKinley and not let her know of the incident. His second thought was for the prostrate Czolgosz, whom he wanted no one to harm. Thousands of people crowded forward to see, but soldiers soon cleared the building. In the meantime, Czolgosz was hustled to the rear of the building by Exposition guards. Later he was delivered into the custody of the Superintendent of the Buffalo Police Department who took him to the number thirteen police station and then to police headquarters. (After McKinley died, Czolgosz had a speedy trial and was executed at Auburn, New York, on October 27, 1901.)

McKinley was taken to the Exposition hospital. On the way he told Milburn he was sorry that he had been a cause of trouble for the Exposition. Thirty seconds after his arrival, six doctors were at his side. The doctors decided to operate. Dr. Matthew D. Mann of the Exposition hospital performed the operation, and other doctors assisted. At 7:25 P.M. McKinley was taken to the Milburn home as a precaution against panic.[3]

At 4:30 P.M., W. I. Buchanan, Director General of the Exposition, was sent to the Milburn home to forestall any information that might reach Mrs. McKinley concerning the shooting. Mrs. McKinley had taken a nap. When she awoke from her rest at

[3] *New York Times*, September 7, 1901, p. 1, c. 1–3; Babcock, *op. cit.* The first bullet struck the President's breastbone, deflected and travelled beneath the skin to a point directly beneath the right nipple. The second penetrated the abdomen, pierced both walls of the stomach, and lodged in the back. An incision of five inches was made. The small hole in the front of the stomach was closed with sutures, and the ragged inch tear in the back of the stomach was sewed in three layers. The abdominal cavity was washed in salt water, and the incision closed. Report of Dr. R. M. Rixey on McKinley's operation, September 6, 1901, William McKinley Mss. (L. C.), 85: 16724. (Number 85 used above is the volume number, and 16724 is mounting number. This form will be used throughout.)

5:30 P.M., she began crocheting, one of her favorite diversions. There was no clock in her room, but as the day began to wane she become anxious about her husband who was to return at 6:00 P.M. At 7:00 o'clock Dr. R. M. Rixey, her physician, arrived at the Milburn residence and broke the news gently to her. Buchanan said she took the news bravely, although considerably affected.

After the first day, the doctors became hopeful of McKinley's recovery. Several bulletins were issued each day on his progress. Newspapermen, not content with these reports, interviewed specialists. One of these was Dr. John B. Walker, of New York City. This doctor thought a perforated stomach could be very dangerous in a man as old as McKinley. It was the specialist's fear that the contents of the stomach would ooze into the intestines and peritonitis set in. Since McKinley had had immediate attention, he might survive; but Walker recalled a case where a football player of Princeton had been similarly shot. He did not receive attention for twelve hours, and the result had been fatal.[4]

The President seemed to improve all week. On the morning of Thursday, September 12th, he felt well enough to ask vainly for a cigar. But later in the day he suffered a relapse, and by 2:00 A.M. on Friday, the doctors felt his condition was serious enough to send for his relatives, personal friends, and members of the Cabinet. At 6:00 P.M. on Friday, September 13th, the doctors began to lose hope of saving the President. They gave him additional oxygen, but his depression continued. At 6:50 P.M. his wife was allowed in to see him, and his last conscious hour was spent with the woman to whom he had devoted a lifetime of care. He faced death calmly. At 7:50 P.M. he became unconscious; and "like the faint flickering of a burned-out candle, his life fluttered out."[5] Early Saturday morning at 2:15 A.M., Dr. Rixey announced to those present in the death room the passing of the President. Dr. Rixey, Abner McKinley, Mrs. Sarah Duncan, Miss Helen McKinley, Miss Sarah Duncan, Lieutenant James F. McKinley,

[4] *New York Times*, September 7, 1901, p. 1, c. 3.
[5] *Ibid.*, September 14, 1901, p. 1, c. 1.

V. C. Duncan, T. M. Osborn, Colonel Webb C. Hayes, Charles . Dawes, Colonel W. C. Brown, Secretary Cortelyou, John arber, three nurses, and three orderlies were in the room when e died. Secretary of War Elihu Root, Secretary of Interior han A. Hitchcock, Attorney General Philander C. Knox, and ecretary of Agriculture James Wilson were waiting downairs. Cortelyou informed them of the President's passing.[6]

On September 14th, the coroner viewed the body of McKiny, and the surgeons performed an autopsy to determine the use of death. The doctors concluded that he had died of toxeia, necrosis of the tissues of the abdominal cavity, and that the hole bullet track was gangrenous. The death bullet that had dged in his back could not be found.[7]

At the time of the shooting on September 6th, Theodore oosevelt, the man most affected by this event (other than IcKinley), was at Isle La Motte near Burlington, Vermont. He as attending an outing of the Vermont Fish and Game Club at ie home of former Governor of Vermont Nelson W. Fisk. At 30 P.M. a telephone message from Buffalo reached him. The ice-President was stunned by the news. He put his hands to his ead and exclaimed "My God." Those around him were immeiately informed of the tragedy, and they decided to announce it the crowd of people who had gathered to hear Colonel Rooselt speak. Without making a speech, Roosevelt left soon afterards by yacht for Burlington. There, the President of the utland Railroad Company placed a train at his disposal and ade arrangements to take him to Buffalo.[8] News of the shooting aused the Vice-President to express himself to Henry Cabot odge in his usual vehement fashion. He said that the attack had

[6] Report of R. M. Rixey at 6:00 P.M. September 13, 1901, McKinley Mss. (L. C.), : 16798. Cortelyou also informed William P. Frye, President *Pro Tempore* of the nate, and David B. Henderson, Speaker of the House of Representatives, of cKinley's death. He requested them to appoint a committee from each House to be esent at the funeral in Washington and to accompany McKinley's remains to anton, Ohio. Cortelyou to William P. Frye, and to David B. Henderson, September , 1901, Cortelyou Mss. (L. C.).

[7] *New York Times*, September 15, 1901, p. 2, c. 4; Report of McKinley autopsy, ptember 14, 1901, McKinley Mss. (L. C.), 85: 16801.

[8] *Ibid.*, September 7, 1901, p. 1, c. 4.

THEODORE ROOSEVELT (1858–1919)
Portrait by Henry R. Rittenberg
Gift of George A. Zabriskie, 1943

not been launched against corporate wealth but against free representative government. He based this conclusion on the fact that McKinley was only moderately wealthy, about as well off as a division superintendent on the New York Central Railroad. As Roosevelt proceeded in his analysis of Czolgosz's deed, he became increasingly vitriolic:

hat there might be no measure of Judas-like infamy lacking, the dog pproached him under the pretense of shaking hands. If McKinley lives, is scoundrel will get only seven years for assault with intent to kill. . . . oreover, every scoundrel like Hearst and his satellites who for what-er purpose appeals to evil human passion has made himself accessory efore the fact to every crime of this nature, and every soft fool who tends a maudlin sympathy to criminals has done likewise.[9]

Finding his position delicate at Buffalo and desiring the out-oors, Roosevelt, assured by the doctors that the danger had assed, left his political superior on September 10th. As an excuse or his leaving, he said that it would convince the nation that IcKinley would recover. He went to join his family in a remote art of the Adirondacks near the foot of Mt. Marcy. Roosevelt ft his itinerary plans with Ansley Wilcox, at whose residence e had been staying in Buffalo.[10]

Sometime after midnight on the morning of September 13th, Vilcox was awakened by a messenger. The President was much orse! Roosevelt was to be summoned immediately. Within two ours, a messenger started from Albany. When he arrived at the ahawus Club, he found that the Vice-President had left to end the day mountain-climbing on Mt. Marcy. At 5:00 P.M., n beginning his descent, Roosevelt met the guide who had arted up with the news of McKinley's serious condition. eaching the Tahawus Club, Roosevelt was rushed by buck-oard thirty-five miles to North Creek where a special train vaited. At 5:22 A.M. when he boarded the train, he learned that ie President was dead![11]

The new President arrived at Buffalo at 1:30 in the afternoon f September 14th. He was met at the station and driven to where IcKinley's body lay. After looking at the face of the dead Presi-ent, he went to the home of Ansley Wilcox at 3:30 P.M. where ie oath of office was administered to him by Judge John R. Iazel of the United States District Court. The ceremony was

[9] Theodore Roosevelt to Henry C. Lodge, September 9, 1901, Theodore Roose-lt Mss. (L. C.), Box 29.
[10] Theodore Roosevelt, *An Autobiography* (New York: 1920), 349.
[11] *New York Times*, September 15, 1901, p. 2, c. 2–3.

simple but impressive. President Roosevelt promised to continue unbroken the policy of McKinley and asked the members of the Cabinet to retain their portfolios. All assented. Then he excused himself and went out in the September afternoon talking earnestly to Elihu Root.[12]

Shortly after Roosevelt returned from his walk, a carriage drove up, and Mark Hanna stepped out. Loiterers pointed toward Hanna as he leaned on his cane, his normally cheerful face gray, his torment palpable on his face. This was the man who, as Chairman of the National Republican Committee and manager of McKinley's nomination, had warned the Republican National Convention of 1900 that to make Roosevelt Vice-President was to place but a single life "between this madman and the presidency." Therefore McKinley's death was both a political and personal tragedy to Hanna. Roosevelt had seen Hanna's carriage drive up, and rushed out to greet him with outstretched hands. Mark Hanna removed his hat. "Mr. President," he said, "I wish you success and a prosperous administration. I trust that you will command me if I can be of any service."[13]

Private as well as public reactions to the death of McKinley and the elevation of Roosevelt to the Presidency came from all parts of the United States and the world. This was the second tragedy for Secretary of State John Hay within a period of six months. In June, 1901, John Hay's only son Albert had gone to attend the Yale commencement. Before going to bed one warm

[12] *Ibid.*, September 15, 1901, p. 1, c. 1; Theodore Roosevelt's *Autobiography* (New York: Scribner's, 1935), 396. It was at Root's behest and upon his advice that Roosevelt took the oath immediately and made his statement of policy. As the senior Cabinet officer present in Buffalo, Root "spoke of the need for immediate action to avoid any gap during which the country would be without a President, repeating as exactly as he could recall them the words of Blaine's telegram to the Cabinet when Garfield died. In the name of the Cabinet, he asked Roosevelt to take the oath of office. Roosevelt came over to him and whispered a question as to whether he should make any response. Root told him he thought he should say one thing and that it was very important he should say it: the country was much disturbed and needed some assurance that would create confidence. He thought Roosevelt should declare his intention to continue unbroken the policy of President McKinley for the peace, prosperity and honor of the country. Roosevelt repeated the words just as Root suggested them to him and Judge Hazel administered the oath."—Philip C. Jessup, *Elihu Root* (New York: 1938), I: 238.

[13] *New York Times*, September 15, 1901, p. 1, c. 1.

vening, he sat in an upstairs window to cool off. He went to eep on this precarious ledge, fell to the ground, and was almost stantly killed.[14] This, McKinley's death, and his own ailing ealth contributed to Hay's depression and produced an illusion iat his life was nearing its end. Hay mournfully sketched IcKinley's attractive personality and how the world was poorer y his absence. He contemplated his own grief at standing by the ier of three friends, Lincoln, Garfield,, and McKinley: all Presi-ents and all killed by assassins.[15] In regard to his position under ie incoming President, he was not optimistic. He told his friend Ienry Adams that Roosevelt had insisted he remain Secretary of tate. But Hay was ready to resign if Roosevelt tired of him, or if Iay himself collapsed.[16] The Indianapolis *Sentinel* corroborated Iay's lugubrious self-portrait. It reported that Secretary Hay, ever in robust health in recent years, looked completely broken own; he seemed to have aged twenty years since the death of his nly son.[17]

Secretary of War Elihu Root was in similar dreary circum-tances. At 11:00 P.M. on September 6th, Root left Grand Cen-ral Station on a special train for Buffalo, accompanied by a nedical specialist. The time of McKinley's shooting and result-ng death was particularly unfortunate for the Secretary of War. His own son, Elihu, Jr., was lying seriously ill of typhoid at his ome in New York City. Therefore, on the fourteenth of Sep-ember, Root had the shock of McKinley's death added to the vorry about his son.[18]

Senator Thomas C. Platt, the Republican boss of New York, vas dazed when he heard the news. He did not believe that Czolgosz was mentally deranged, because there was too much nethod in the way he committed the crime. Platt advocated a drumhead court martial to put an end to the assassin immedi-

[14] John Hay to Henry White, June 30, 1901, William R. Thayer, *The Life and Letters of John Hay* (Boston and New York: 1915), II: 203.

[15] Hay to Lady Jeune, September 14, 1901, John Hay Mss. (L. C.).

[16] Hay to Henry Adams, September 19, 1901, Hay Mss. (L. C.). In spite of his pessimism, he remained in the Cabinet for four years more.

[17] Indianapolis *Sentinel*, September 8, 1901, p. 13, c. 1.

[18] *New York Times*, September 15, 1901, p. 8, c. 5. Root's son did recover.

ately.[19] On September 12th, Platt went to Oak Lawn, where he was a guest of Charles G. Bennett, Secretary of the United States Senate. On September 13th, they went fishing on Great South Bay. Platt was at Oak Lawn when news of the President's death reached him.[20] As for Roosevelt, Platt expansively explained that he had had no intention of shelving him, because he was Theodore's best friend. He endeavored to joke about it, saying that instead of "shelving" Roosevelt, he had to plead guilty to "kicking him upstairs." He believed even Roosevelt himself would convict him of that crime.[21]

At least one United States Senator expressed no sorrow at the assassination of McKinley. George L. Wellington, Democrat from Cumberland, Maryland, said: "McKinley and I are enemies. I have nothing good to say about him and under the circumstances do not care to say anything bad. I am indifferent to the whole matter." A petition demanding the resignation of Wellington from the Senate was circulated in the Cumberland area because of his lack of feeling but produced no result.[22]

Representative Champ Clark did not appreciate John Hay's attempt to bring partisan politics into the speech he made at a joint session of Congress to memorialize the deceased McKinley. Although Clark was a Democrat, he was kind in his praises of the martyred President.[23] Of the new President, Champ Clark observed that he was a brusque, abrupt, self-assertive, positive mortal, who accomplished his purposes with the lion's paw and the eagle's claw.[24]

In Manila, William H. Taft, trying to be big brother to the little brown brothers, was concerned about his friend Theodore.

[19] *Ibid.*, September 7, 1901, p. 9, c. 3.

[20] *Ibid.*, September 14, 1901, p. 9, c. 3.

[21] Thomas C. Platt, *The Autobiography of Thomas Collier Platt: With Twenty Portraits in Sepia Photogravure* (New York: 1910), 396. In order to get Roosevelt out of New York politics, Platt had been a key figure in getting Roosevelt nominated for the Vice-Presidency.

[22] *New York Times*, September 7, 1901, p. 4, c. 2.

[23] Champ Clark, *My Quarter Century of American Politics* (New York: 1920), I: 467.

[24] *Ibid.*, 424.

He thought that Roosevelt had a three-fold deficiency: he was oo young; he could not keep Congress in line; and he would not e able to get the votes of the people. Taft was later to find that Roosevelt was quite proficient in these qualities and that Roosevelt could issue a curt order.[25]

From Paris Henry Cabot Lodge wrote that he wanted Roosevelt chosen President, but by the voters instead of through eath. It wrung his heart, said Lodge, to think of Theodore com- ng to the great office through an assassination, and he felt that he idea must be haunting to Roosevelt. As a cheering thought, e added that George Lyman had talked to a German who hought that Colonel Roosevelt had killed 18,000 mountain cats. Thus," concluded Lodge, "you see how your fame has pread."[26]

The ambassador to England, Joseph H. Choate, wrote to his vife from London that the death of McKinley had overwhelmed veryone, and that the grief could hardly be more genuine and videspread in New York than it was in London. Flags were at alf-mast on the public buildings, and everyone was concerned. He thought there would probably be a memorial service for McKinley at Westminster.[27] As for Roosevelt, he thought that he new President was starting remarkably well. In his opinion, Roosevelt was very different from McKinley, but he believed he vould make a splendid President—a popular one, at least.[28]

On September 13th, McKinley's greatest political foe, William J. Bryan, arrived in Chicago over the Burlington route from Lincoln, Nebraska. He had come to Chicago to participate in the Carter H. Harrison League demonstration, to be held at Sunny-

[25] William H. Taft to Joseph B. Bishop, September 20, 1901, William H. Taft Mss. L. C.).

[26] Henry C. Lodge to Theodore Roosevelt, September 12, 1901, Henry C. Lodge, d., *Selections from the Correspondence of Theodore Roosevelt and Henry C. Lodge* New York: 1925), I: 502–04.

[27] Joseph H. Choate to Mrs. Joseph H. Choate, September 14, 1901, Edward S. Martin, *The Life of Joseph Hodges Choate: As Gathered Chiefly From His Letters, ncluding His Own Story of His Boyhood and Youth* (New York: 1927), II: 198.

[28] Choate to Mrs. Choate, September 24, 1901, Martin, *Choate*, II: 202.

side Park.[29] In his statement to the press, he said that partisanship was swallowed up in universal sorrow, and all hearts were with the lonely woman berefit of her tender husband.[30]

At Bloomington, Illinois, ex-Vice-President Adlai Stevenson said that the attempt to assassinate the President was too appalling and too horrible for belief. He continued, "How forcibly we are reminded that three presidents have been assailed by assassins within a little more than one-third of a century."

When news came of the shooting, Stevenson's former superior, Grover Cleveland, was fishing on Darling Lake near Tyringham, Massachusetts. He rowed ashore to hear the details. He announced himself greatly shocked at the information and could not conceive a motive; the assassin must have been insane.[31]

One of the groups least affected by McKinley's fate was the Socialist. On September 7th, the Workingmen's Committee of One Hundred had their third annual dollar dinner in honor of Henry George, the single-tax-on-land advocate. John Altgeld, ex-Governor of Illinois, the principal speaker, made no reference to the wounded President except to say, "I do not speak of men, I speak only of things." Another speaker, Reverend Herbert S. Bigelow, of Cincinnati, said, "We want human sympathy with the President's wife, but just as quick we want it with the woman who sits in the ashes of her home or with the Filipino mother who sits in the ashes of her hut weeping over her slain sons."[32]

The business world expressed two main views in regard to the attack on the President. It was tragic, but business would not be greatly affected. When the news came to Wall Street, J. Pierpont Morgan was on the point of leaving his office. With his hat on and cane in hand, he stood near the desk of one of his clerks glancing at a ledger. Outside his carriage was waiting, and

[29] Charles K. Ladd to William J. Bryan, September 8, 1901, William J. Bryan Mss. (L. C.). This was the group backing the reëlection in 1901 of Carter H. Harrison (2d), the Democratic mayor of Chicago.

[30] Chicago *Record-Herald*, September 14, 1901, p. 2, c. 6.

[31] *New York Times*, September 7, 1901, p. 1, c. 5.

[32] *Ibid.*, September 8, 1901, p. 10, c. 1.

the office corridor his son-in-law, Herbert Lee Satterlee, was anding somewhat impatiently. Into this setting rushed a newsaperman, and Morgan asked brusquely, "Well?" The newsaperman told him of the attempt on McKinley's life, while Morgan exclaimed "What?" twice. Then the banker asked vhen, where, and how it happened. Unable to believe it, Morgan ent one of his confidential representatives to investigate the tory. When the latter reported back in the affirmative, Morgan aid, "This is sad news, very sad. No, I don't want to say anyhing. There is nothing I can say at this time."[33]

At the Waldorf-Astoria, James Stillman, President of the National City Bank, said that the news was an exceedingly great hock, especially since McKinley had been such an exemplary President. As for the effect of the news upon the business interests of the country, he was certain that the country was prosperous and stable, and there would be no panic. Although no concerted action had been taken, he was convinced that the clearinghouse banks would take care of the money market as they always had.[34]

A telegram announcing the President's shooting evoked a rather cool reception from the reserved Henry Adams, as he sat at breakfast in a Stockholm restaurant. The pessimistic historian coolly observed that existence had become so full of horrors that a mere political murder seemed now a regular part of life. He was troubled about the McKinley tragedy largely because it threw an added burden on his friend John Hay.[35] Further, he added:

> Your fears that I might be affected by losing poor old McKinley, shows a susceptible heart not in me but in you. The Major was a person as completely outside of my personality as any of his recent predecessors. His methods were as bad as possible. His function was that of a very supple and highly paid agent of the crudest capitalism. To do him justice, he

[33] *Ibid.*, September 7, 1901, p. 3, c. 1.
[34] *Ibid.*, September 7, 1901, p. 3, c. 2.
[35] Henry Adams to John Hay, September 7, 1901, Worthington C. Ford, ed., *Letters of Henry Adams* (Boston and New York: 1938), II: 350.

served industrial capital rather than the Jews; but he would have served it in any form, consciously or unconsciously, if the times had with us reached that stage. To murder him was a gross absurdity that makes me despair of Anarchy. The true person to kill was Hanna—the Senator!

As to Roosevelt in the Presidency, he displayed great pleasure: "So Teddy is President! Is not that stupendous! Before such a career as that I have no observations to make."[36]

In Baltimore Cardinal James Gibbons received the news sadly. He said the attack came as a personal affliction to every house in the land. In his opinion, McKinley with his virtues of patience and forbearance had been well equipped for the office of President. The prince of the church declared that no more beautiful example of domestic virtue and felicity had ever been seen in this or any other country than that of the President for Mrs. McKinley. He interrupted his flow of praise of McKinley to insert a political observation. The best tribute to the stability of our institutions, said the Cardinal, was the fact that while the blow at the President aroused universal sorrow and indignation, it would not retard for more than an instant the "gliding of the noble ship of state."[37]

For Thomas W. Pendel, the oldest of the doormen on duty at the White House, the attack on McKinley was the third shock of this kind he had known. He had been at the White House when Abraham Lincoln left to go to Ford's Theatre the night he was shot, and he had taken care of "Tad" Lincoln during the absence of Mr. and Mrs. Lincoln. He had seen President James Garfield borne in from Sixth Street Station in 1881, linger awhile, and then be taken to Elberon, New Jersey, to die. He could scarcely speak on being informed of this last disaster. His only remark was, "It looks as though we would have to keep the President in a fort and search all visitors before letting them in to talk to him. Assassination is too easy here."[38]

[36] Adams to Elizabeth Cameron, September 28, 1901; September 16, 1901, Ford, ed., *Letters*, II: 354 and 356. Within six months, however, he was dissatisfied with Roosevelt's policy as President.

[37] *New York Times*, September 7, 1901, p. 3, c. 6.

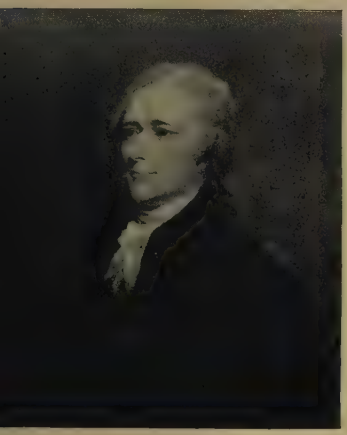
[38] *Ibid.*, September 7, 1901, p. 3, c. 7.

ALEXANDER HAMILTON'S FIRST COURT CASE:

Elizabeth Rutgers v. *Joshua Waddington*

IN THE MAYOR'S COURT OF NEW YORK CITY, 1784

y Louis Ottenberg, Esq., *of the District of the Columbia Bar*



ALEXANDER HAMILTON
(1755–1804)
By John Trumbell, *c.* 1802
Gift of Thomas J. Bryan, 1867

ALEXANDER HAMILTON'S first court case, *Rutgers* v. *Waddington*, became a cause célèbre. Principles urged by him and adopted by the Court had important legal and constitutional application later.

It is rare, indeed, that a lawyer's first court case is one of such transcendent importance. Or one that probes basic local, national and international issues of law. Or one that evokes widespread discussion and reactions bordering on riot and dividing the community into partisan and ostile elements. Or one that the Governor of the State personally selects as a test case, and then designates the Attorney-General of the State to try, even though it is a civil action and the laintiff has competent counsel of her own.

Furthermore, Hamilton defended an aristocratic and detested nglishman, Joshua Waddington, a partisan of hated King eorge III. His was the "unpopular" side of the case. Hamilton's riends tried unsuccessfully to dissuade him from undertaking ne case—"a forlorn hope." On the other hand, the plaintiff was a

native New Yorker, an elderly "patriot" widow, compelled to leave her home and property because of the occupation of New York City by the invading British army. Her claim for damages was supported by the "Trespass Act" of the State of New York, by the personal sympathy of powerful Governor George Clinton, and by public sentiment. Hers was the "right" side of the case.

But Hamilton was exceptional, a genius. At the time of this trial he was only 29 years old, but how full and dramatic had been his life: a student at King's College (later Columbia University) at 18; political orator and writer at 19; captain of an artillery company at 21; military secretary and aide-de-camp to General Washington at 22; an officer leading his command in charge against Cornwallis's troops at the battle of Yorktown at 26; receiver of continental taxes at New York and member of the Continental Congress at 27; a member of the bar of New York at 27, after only a few months of legal education. At 25 this boy, born out of wedlock in a West Indian village, had married the beautiful daughter of General Philip Schuyler, one of the richest aristocrats in America.[1]

This, then, was Alexander Hamilton, principal counsel for the defense at the time of his first case in court.

Background of Rutgers v. *Waddington*

For many years before the American Revolution, Harmanus Rutgers, Jr., the father-in-law of the plaintiff, Elizabeth Rutgers, owned and operated a brewery in New York City. It was a large place, extending from what is now Maiden Lane to John Street, and from William Street on the west to Pearl Street on the east. His son Harmanus III married Elizabeth Benson in 1728, and died during the lifetime of his father. In 1753 Harmanus Junior died and left this valuable property and brewery to his daughter-in-law Elizabeth Rutgers during her widow-

[1] Computed from the commonly accepted date of Hamilton's birth, January 11, 1757, Hamilton would, in each instance, have been two years younger than the age assigned to him in this paragraph. But newly discovered evidence [see Broadus Mitchell, *Alexander Hamilton, Youth to Maturity, 1755–1788* (New York: Macmillan, 1957), 11–13] indicates that the year of his birth was 1755.

ood with remainder over to her son Robert, who was actually perating the business for his mother in 1776 when all her oubles began.

Events affecting Mrs. Rutgers moved fast in 1776. The Revotionary War was progressing successfully for the British army. hey were getting stronger; the "continentals" or rebels were etting weaker. Nevertheless, in July, the Continental Congress dopted the Declaration of Independence, asserting that "these nited Colonies are, and of Right ought to be FREE AND NDEPENDENT STATES" and that they had "full Power to vy War, conclude Peace, contract Alliances, establish Comerce, and to do all other Acts and Things which INDEPENDENT STATES may of right do."

Brave language, that, in 1776 amidst British victories and colonial defeats. Yet twelve years later in this very trial, Hamilton eized upon that language to defend his client Waddington.

Only about a month after the adoption of the Declaration, ritish troops were knocking at the gates of New York City. eneral Washington realized the precarious position which conronted the inhabitants of New York City he could not defend. o on August 17, 1776, he issued this proclamation:

> Whereas a bombardment and attack upon the city of New York by ur cruel and inveterate enemy may be hourly expected; and as there re great numbers of women, children, and infirm persons yet remaining the city, whose continuance will rather be prejudicial than advantaeous to the army and their persons exposed to great danger and hazard; do therefore recommend it to all persons, as they value their own safety nd preservation, to remove with all expedition out of the said town at is critical period—trusting that with the blessing of heaven upon the merican arms they may soon return to it in perfect security. And I do njoin and require all the officers and soldiers in the army under my comand, to forward and assist all such persons in their compliance with is recommendation.

That same day the representatives of the State of New York in onvention issued its Resolve urging immediate removal from ew York City "agreeable to General Washington's request."

On the tenth of September, 1776, the aged widow Rutgers and

her son Robert left the city "by reason of the invasion of the enemy." Five days later the British army actually occupied New York and remained in possession until November, 1783. During most of that period of seven years the Rutgers brewery was occupied and operated by two British merchants and citizens, Benjamin Waddington and Evelyn Pierrepont. The defendent, Joshua Waddington, was their representative and agent. Before the British evacuated New York, Benjamin Waddington and Pierrepont returned to England, leaving Joshua to wind up their affairs in the City. He surrendered possession of the brewery to the British authorities on March 17, 1783, the very day that the New York Legislature passed the Trespass Act. But since his principals and he as their representative had taken possession of Mrs. Rutgers' property during the war under license from the British occupation forces, he was sued for damages by Mrs. Rutgers under the authority of that devastating statute.

Prior to the enactment, a New York Convention had approved the Declaration of Independence on July 9, 1776, and its Legislature had formally ratified it on May 8, 1777, just a few weeks after New York had adopted its first State Constitution on April 20, 1777.

The first Governor under this new Constitution was George Clinton, elected in July, 1777. He thoroughly hated "Tories" and "Loyalists." Confiscation of their property was one of his most outstanding fiscal and political purposes; it yielded a large revenue and substantially reduced the debts incurred by the State in the prosecution of the war. Governor Clinton believed that through these confiscations a decided change in the social status of many "patriots" had been and could be effected through the breaking up of large landholdings. During the critical years of his governorship from 1777 to 1795 he wielded tremendous political power and opposed the adoption of the Constitution of the United States. Nevertheless, keen politician that he was, he managed to become Vice-President of the United States in President Jefferson's second term and President Madison's first.

Meanwhile, other important events were transpiring, events hich would materially affect the trial of *Rutgers* v. *Wadding-n*. On March 1, 1781, the Articles of Confederation were opted by the States. Article nine provided that "The United ates, in Congress assembled, shall have the sole and exclusive ght and power of determining on peace and war. . . ." It was der this power that Congress acted when peace actually came. amilton used that too in his defense.

After General Cornwallis surrendered at Yorktown on Octo-r 19, 1781, moves for peace were accelerated, although some oradic fighting still continued. But by January 1783 the pre-minary articles of the peace treaty were approved at Paris, sub-ct to a definitive treaty.

Whether Governor Clinton knew or foresaw what the final rms of the treaty of peace might include relating to the restitu-on of the confiscated property of tories or loyalists, he took rompt steps to anticipate and defeat any such provisions. His rst move was to get the Trespass Act passed by his Legislature n March 17, 1783.

The Trespass Act

An Act for granting a more effectual Relief in Cases of Certain Tres-sses. Be it enacted by the People of the State of New York, represented Senate and Assembly, and it is hereby enacted by the Authority of the me, That it shall and may be lawful for any Person or Persons, who are, were Inhabitants of this State, and who, by Reason of the Invasion of e Enemy, left his, her or their Place or Places of Abode, and who have ot voluntarily, put themselves respectively, into the Power of the nemy, since they respectively left their Places of Abode, his, her or eir Heirs, Executors or Administrators, to bring an Action of Trespass ainst any Person or Persons who may have occupied, injured or des-oyed his, her or their Estate, either real or personal, within the Power the Enemy, or gainst any Person or Persons who shall have purchased received any such Goods or Effects, or against his, her or their Heirs, xecutors or Administrators, in any Court of Record within this State, ving Cognizance of the same; in which Action, if the same shall be rought against the Person or Persons who shall have occupied, injured destroyed, or purchased, or received such real or personal Estate as oresaid, the Defendant or defendants shall be held to Bail; and if any

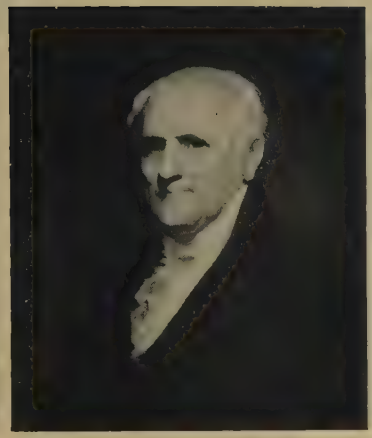
such Action shall be brought in any Inferior Court within this State, the same shall be finally determined in such Court, and every such Action shall be considered as a transitory Action. That no Defendant or Defendants shall be admitted to plead, in Justification, any Military Order or Command whatever, of the Enemy, for such Occupancy, injury, Destruction, Purchase or Receipt, nor to give the same in Evidence on the general Issue.[2]

Cessation of hostilities between Great Britain and the now United States of America was declared on April 19, 1783, exactly eight years to the day after the Battle of Lexington. This was followed, on September 3d, by the signing of the Treaty of Peace in Paris by representatives of the contending parties, subject to ratification by their respective governments. Then on November 23d, the British army evacuated New York. Mrs. Rutgers was free to return to her "abode" and her "brew house and malt house." She did.

On January 14, 1784, the United States, in Congress Assembled, formally ratified the Treaty of Peace. By the treaty provisions, "His Britannic Majesty acknowledges the said United States [*naming them*] to be free, sovereign and independent States." Independent and sovereign, indeed; but to what extent were they bound, jointly or severally, by the terms of that treaty? How far was New York, for instance, under legal or moral obligation to implement the provision of the treaty that "the Congress shall earnestly recommend it to the legislatures of the respective States, to provide for the restitution of all estates, rights and properties which have been confiscated belonging to real British subjects, and also of the estates, rights and properties of persons resident in the districts in the possession of His Majesty's arms, and who have not borne arms against the said United States"? Was New York bound by the further provision (Article VI) "That there shall be no future confiscations made nor any prosecutions commenced against any person or persons for or by reason of the part which he or they may have taken in the present war: and no person shall, on that account, suffer any future loss or damage, either in his person, liberty or property"?

[2] Laws of New York, Sixth Session 1783, Chapter 31.

RICHARD VARICK (1753–1831)
Recorder of New York, 1783–89
Engr. by H. B. Hall & Sons for
Magazine of American History



EGBERT BENSON (1746–1833)
N. Y. Attorney General, 1777–87
By John Wesley Jarvis after Stuart
Gift of the artist before 1813

These questions were among the basic issues in Hamilton's efense of the suit of Mrs. Rutgers begun in February 1784 in he Mayor's Court of the City of New York.

James Duane, "a revolutionary conservative," had been ap-ointed Mayor of New York City on February 7, 1784, by his riend, Governor George Clinton and his Council of Appoint-ient. Another appointee of the Governor and Council was Richard Varick, the Recorder of that city and its real judicial fficer. Both Duane and Varick were serious students of the law nd successful practitioners.[3] The six Aldermen of the City sat vith the Mayor and the Recorder at the trial.

Governor Clinton was instrumental in the selection of Mrs. Rutgers' case to test the legality and efficacy of the Trespass Act. More than that: He designated one of the outstanding lawyers of he State, Egbert Benson, his Attorney-General, to associate vith Mrs. Rutgers' own counsel, to maintain the rights of the

[3] In 1789 President Washington appointed Duane to be a judge of the United tates District Court for the District of New York. Varick served as Mayor of New ork City for ten years (1791–1801).

State, and to take an active and leading part in the trial. Mr. Benson was also Mrs. Rutgers' nephew.

The Trial

The case selected was factually ideal for the test. The plaintiff, Mrs. Rutgers, was a native New Yorker, a "venerable" patriot and widow (for the sympathy that might evoke?). She had been "an inhabitant of this State" who had left her "Place of Abode" "by reason of the Invasion of the Enemy" and who, since such leaving, had not voluntarily put herself in the power of the Enemy. When she returned she found the city had been ravished by the occupation of the Enemy. Benjamin Waddington and Pierrepont, British subjects, had occupied "her Estate, either real or personal, within the Power of the Enemy." She had suffered substantial damages to her property and had lost rent for eight years.

The Mayor's Court was an "Inferior Court," and its determination was to be "final," that is, without right of appeal. The Trespass Act so provided. Then, strengthening the plaintiff's case, the defense was, by that statute, forbidden "to plead in Justification, any Military Order or Command whatever of the Enemy," or "give the same in evidence on the general Issue." And to make matters worse, the defendant was a British subject, the representative and agent of other British subjects who had taken over, used and occupied Mrs. Rutgers' valuable property all during the hated occupation of New York by the "Enemy."

Every facet of the facts was covered by a definite facet of the statute. In short, the case selected by Governor Clinton seemed ideal for his purpose.

Into such a case came young Alexander Hamilton, with the Governor, the facts, the statute and popular sentiment all against him. And this was his first court case! He had able associate counsel to be sure, but judging from the pleadings and Hamilton's long and detailed "Notes for Argument in the Trespass Case,[3a] which bristles with citations from works of European

[3a] Set out in full in Allan McLane Hamilton, *The Intimate Life of Alexander Hamilton* (New York: 1910), Appendix H.

riters on common and civil law and the law of nations, it is apprent that he planned the defense and made the principal argument.

First he pleaded the general issue of "not guilty of trespass."[4] Then he filed three separate pleas amounting to confession and oidance. Admitting the occupancy of Rutgers property by Vaddington, he divided its use into two periods: one from September 28, 1778, to April 30, 1780; and the other from April 30, 80, to March 17, 1783. Why this was done will appear clearly er. During both of these periods, he asserted, his client paid nt of one hundred fifty pounds per year to the person authored by the Commander-in-Chief of the army of occupation "for e relief of the poor and for divers other purposes of public ility within the said City."

He pleaded the right of the defendant to use and occupy plaintf's property under the "license and permission" given by the mmanding general of the army of occupation. But the Trespss Act had specifically provided that "no Defendant or Defndants shall be admitted to plead, in Justification, any Military rder or Command whatever, of the Enemy, for such occuncy."

It was Hamilton's "avoidance but it was circumvention too. rincipally Hamilton resorted to the "laws of Nations," international law, usage and custom in time of war. (This young lawer could not have mastered those principles in the few months had studied for admission to the bar. He must have devoted ears of voracious reading, mostly in Latin, to authorities such as rotius, Vattel, Pufendorf, Cicero, Coke, Burlamaqui and many hers cited in his elaborate "Notes for Argument."

In his pleading and argument he followed this reasoning:

1. By the Declaration of Independence, the Colonies had ated that they were "free and Independent States." That as ee and independent states thy had full power to levy war, conude peace, and do all other acts and things which independent

[4] Hamilton's pleas in manuscript are in The New-York Historical Society, N.Y. l original records of the case seem to have been destroyed in a fire.

states may of right do. The Declaration had been expressly approved and confirmed by New York State. Therefore a state of open war existed between Great Britain and New York. As an act of war in that state of war, the army of the King in September 1776 "conquered, subdued and took possession of the aforesaid city of New York and continued in firm and uninterrupted possession of the said City from the time of the said conquest and reduction" until November 23, 1783. Therefore, Hamilton contended, taking possession of Mrs. Rutgers' property by the army of occupation was justified "by the laws, customs and usages of nations in time of war." The Commander-in-Chief of the army, or his Commissary-General, could lawfully give "his license and permission" to Benjamin Waddington and Evelyn Pierrepont, residing in the said City of New York, as British merchants, under the protection of the said Army to "enter into the said Brew house and Malt house and to use and occupy the same."

2. The Articles of Confederation, to which New York was a party, had given the United States in Congress Assembled "the sole and exclusive right and power of determining on peace and war." Congress had acted under that power.

3. On September 3, 1783, "a certain definitive treaty of peace between the King of Great Britain and the Subjects of the said King and the United States of America and the Subjects and Citizens of the said United States of America, all and each of the said States, was entered into, made and concluded." That treaty on January 14, 1784, had been approved and ratified by the United States in Congress. And Congress had published its proclamation of the treaty,

> requiring and enjoining all bodies of Magistracy, Legislative, executive and judiciary, all persons bearing office civil and military of whatever rank, degree, powers and all other good Citizens of said States, of every vocation and condition, that reverencing those stipulations entered into on their behalf under the authority of that foederal bond [the Articles of Confederation] by which their existence as an independent people is bound up together and is known and acknowledged by the nations of the world and with that good faith which is every man's surest guide—within

ir several offices, jurisdictions and vocations they should carry into ect the said definitive Articles [of the peace treaty] and every clause l sentence thereof strictly and completely.

The next sentence tells why this was so important to defend-t's case.

In virtue of which said definitive treaty, all right, claim, pretension l demand whatsoever which either of the said contracting parties and Subjects and Citizens of either of said contracting parties might herwise have had to any compensation, recompence, retribution or lemnity whatsoever, for or by reason of any injury whatsoever ether to the public or to individuals relating to the war . . . were tually and reciprocally, virtually and effectually relinquished re-unced and released to each other to all intents, constructions and rposes whatsoever.[5]

Joshua Waddington was a British subject and in New York as nerchant under the protection of the British army then waging ar and acted under "license and permission."

In its simplest terms, Hamilton's contention was that the de-ndant's use of the property was under license from the captor the city and therefore under the law of nations and he was not ble to plaintiff; also that under the amnesty which the Treaty Peace implied and which the Proclamation by Congress ex-essed, he was not answerable to plaintiff. Mrs. Rutgers' counsel ntended that the license from the British army was for civilian d commercial purposes, not "relating to the war"; and that by e Trespass Act no such license could be pleaded in defense; at the license for the first part of the period of Waddington's cupancy was not in fact even from the Commander-in-Chief, t from his Commissary-General. They also argued that the w of nations afforded no rule of right, was not binding on the overnment of an independent people such as the State of New ork, but the State legislature had uncontrollable power within at State, subject only to the limitations of its constitution.

[5] Article VI, the Treaty, stated "That there shall be no future confiscations made, r any prosecutions commenced against any person or persons for, or by reasons of e part which he or they may have taken in the present war; and that no person all, on that account, suffer any future loss or damage, either in his person, liberty property. . . ." *Documents of American History*, edited by Henry Steele Com-ager, third edition (New York: 1943), 119.

Following the replication, Hamilton filed a "Demurrer and Joinder in Demurrer." The case came to trial on the demurrer. This posited that, admitting the facts well pleaded and material, plaintiff was not entitled to judgment as a matter of law.

Unfortunately none of the trial brief's and arguments of counsel are available, except Hamilton's "Notes for Argument in the Trespass Case." Neverthelss it is remarkable how the opinion of the Mayor's Court followed the authorities presented by Hamilton. Surely he was no St. John crying in the wilderness. His words were heard and followed—followed by the Court on great basic principles for which Hamilton was striving, namely, that the Treaty of Peace ratified by the American Congress for the whole nation should take precedence over a statute made by one of the States in that nation. It was then and later a basic issue of national policy; it was also an early application of the principle of "judicial review."[6]

The Decision

The *Arguments and Judgment of the Mayor's Court of the City of New York in a Cause between Elizabeth Rutgers and Joshua Waddington* was privately printed in 1784. It is 47 pages long![7] By way of introduction, the Court, in its opinion, said:

> It is represented to be a controversy of *high importance;* from the *value* of the property which in this and other actions depends on the same *principles;* from involving in it questions, which must affect the *national character*. . . . Questions whose decision will record the spirit of our Courts to posterity! Questions which embrace the whole law of nations! . . .
>
> We cannot but express the pleasure which we have received in seeing young gentlemen, just called to the bar, from active and honorable scenes of military life, already so distinguished as public speakers, so much improved in an arduous science.

[6] See U.S. Constitution, Article VI, Section 2; *Marbury* v. *Madison*, 1 Cranch 137, 177 *et seq.*; Edwin S. Corwin, *The Constitution and What It Means Today* (Princeton: 1947), 124.

[7] Printed by Samuel Loudon, New York, 1784. A copy of this publication is in the library of The New-York Historical Society. An "Advertisement" in this pamphlet says: "This suit between Elizabeth Rutgers and Joshua Waddington, having from its peculiar circumstances been a subject of much public expectation, it has been judged, that a publication of the principles on which the late determination in the Mayor's

First the Court held that the action "is grounded on a statute this state," namely the Trespass Act, which was "clearly a medial law."

The facts stated in the defendants pleadings were then summarized, the Court stressing the existence of "open war," the onquest of New York City by the enemy and the continuance its "uninterrupted possession thereof," the use and occupancy the defendant under license and permission of the army of cupation, the adoption of the Declaration of Independence d its ratification by the New York Legislature, the signing of e Treaty of Peace, its ratification by Congress and the Proclamion thereof.

om these pleadings, and the arguments which they have produced, ree questions are presented for our consideration—

1st. Whether the Plaintiff's case is within the letter and intent of the tute on which this action is grounded?

2dly. Whether the laws of nations give the captors, and Defendant der them, rights which controul the operation of the statute and bar e present suit?

3dly. Whether there is such an amnesty included or implied in the finitive treaty of peace, as virtually or effectively relinquishes or reses the Plaintiff's demand under the said statute.

Under one or other of these head, all the reasons and authorities which ve been offered on both sides, may be properly applied.

Under the first question propounded, the Court found that the ommander-in-Chief authorized the Commissary-General to ke over the Rutgers property "for the use of the said army," it that "the license from the Commissary-General to occupy ese tenements for the private purpose of the Defendant's emoyers was repugnant to the orders of the Commander-in-Chief, encroachment on other departments, for which there was no olour of right; it is consequently to be considered as a mere nulty." It followed that for the period of occupancy under the

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ourt was founded, might answer some beneficial purposes; and would at least serve prevent misapprehension. In compliance with the wishes and request of several izens, the arguments and judgment of the Court are now given to the public." e also Richard B. Morris, ed., *Select Cases of the Mayor's Court of New York City, 74–1784* (Washington: 1935).

license of the Commissary-General, Waddington was not relieved from payment.

But since, by the law of nations, the British captors of the City, while acting under the orders of their duly authorized Commander-in-Chief, had the power and right to use or permit the use of plaintiff's property, the license to Waddington from the Commander-in-Chief was valid. The defendant having paid rent for use and occupancy during that period, was not amenable under the Trespass Act to pay again to Mrs. Rutgers.

Under the second question propounded, the Court stated that to maintain defendant's rights under the principles of international law,

> the defendant's counsel have entered into a large display of the law of nations, its principles, divisions, obligations and effects, and have pointed out the sacredness of its authority, and the temerity and dishonour, in a national view, of countenancing any act repugnant to it.
>
> On the other hand, one of Plaintiff's counsel from a view of the contradictory opinions, which we have read, seemed to think that the law afforded no rule of right, and ought to have no influence on the government of a people.

The Court then reviewed the applicable pronouncements of Grotius, Pufendorf, Wolfius, Burlamaqui and Vattel. (Every one of those authorities, except possibly Wolfius, is referred to in Hamilton's "Notes for Argument in the Trespass Case.") The Court continued:

> It has been objected by one of Plaintiff's counsel that these states are not bound by the *customary and voluntary law of nations*, any further than either of them has adopted or engrafted them. But the objection has been fully answered: By our excellent constitution, the common law is declared to be part of the law of the land; and the *jus gentium* (law of nations) is a branch of the common law. . . . The authorities cited on this point for the Defendant are full and conclusive.
>
> We are therefore of opinion, that restitution of the *fruit*, or in other words, the rents and issues of the houses and lands, which have been *bona fide*, collected by or under the authority of the British Commander, while he held possession of the city, cannot, *according to the law of nations*, be required.

As to the third question, the release of plaintiff's claim by reason of the amnesty implied in the Treaty of Peace, the Court held that the period during which the property was held by

virtue of the license of the Commissary-General had no relation to the war, and the rent due for that period was not released; but for the remainder of the period of occupation under the authority of the Commander-in-Chief the defendant was released.

On a broader ground, raised by Hamilton—the very crux of the case—that the power of Congress to make war and peace and the treaty ratified by Congress under that power was superior to the power of the State to pass a statute in derogation of the treaty, the Court queried: "Whether courts of justice ought to be governed by statute, when it clearly militates against the law of nations." On that point the Court was very definite: "And we are clearly of opinion, that no state in this union can alter or abridge, in a single point, the foederal articles [that is, the Articles of Confederation] or the treaty." "On this occasion, we say with the sage—*fiat justitia ruat coelum*" (let right be done though the heavens fall).

The right of a court to declare a statute invalid had been, was then, and still is, a matter of serious dispute. It is involved in the two simple words "judicial review." The Constitution of the United States (Article VI, Section 2) made the Constitution and treaties made under the authority of the United States "the supreme Law of the Land." Hamilton, in No. 78 of *The Federalist*, argued for the necessity of judicial review. In 1803 came the famous opinion by Chief Justice John Marshall, in *Marbury* v. *Madison*, where a statute was declared void as being contrary to the provisions of the Constitution.[8] Eventually the opinion of the Mayor's Court found ample support. But it did not pass unnoticed in 1784!

> Upon the whole, it is the opinion of this Court, that the plea of the Defendant as to the occupancy of the Plaintiff's brew-house and malt-house between the 28th day of September, 1778 and the last day of April, 1780; and the last plea of the Defendant as to the whole trespass, charged in Plaintiff's declaration are insufficient in law; and that only the plea of the Defendant in justification of the occupancy between the last day of April, 1780 and the 17th day of March, 1783, is good and sufficient in the law.

[8] See also *The Federalist*, No. 27.

A few days later, on September 2, 1784, a jury of inquest was summoned to calculate the plaintiff's damages. By its verdict, Mrs. Rutgers was awarded 791 pounds, 13 shillings and 1 penny with costs. This was far less than her claim of 8,000 pounds.

Essentially it was a political decision, and the monetary finding amounted to a "scotch verdict," based, of course, on the Court's decision holding that the occupancy under license from the Commissary-General was insufficient, but that possession under the license from the Commander-in-Chief was valid, even though the tenant had paid the required rent for both periods. Obviously such a result satisfied no one completely.

But definitely it had at least two immediate specific results: First, as the Court said, it eased "the minds of a multitude of suitors, whose causes are depending here under the statute—at all events we shall relieve this Court from an unusual weight of judicial examination, which a want of time renders incompatible with our other public and indispensible duties." Secondly, it aroused public opinion and a veritable storm of reaction.

The State legislature debated the matter at length, with heat but without definite results. It even argued the question of removing the Mayor and the members of his Court, re-enacting the Trespass Act, and the like—then did nothing of the sort.

Aftermath

Mass meetings were called in the city. At one "An Address to the People of the State"[9] was submitted, and, of course, approved. It was given wide publicity in such newspapers as the *New York Packet and the American Advertiser* (November 4, 1784). This Address re-argued the case for the plaintiff. Among its milder assertions were these:

> From this state of the case it appears that the Mayor's Court has assumed and exercised power to set aside an Act of the State. That it has permitted the *vague and doubtful* custom of Nations to be plead against and to render abortive, *a clear and positive statute;* and military authority of the enemy to be plead against the express prohibition of our legislature.

[9] The "Address" is set out in full in Henry B. Dawson, *The case of Elizabeth Rutgers versus Joshua Waddington, . . . With an Historical Introduction* (Morrisania, N.Y.: 1866).

This proceeding, in the opinion of a great part of the citizens of this etropolis, and in our opinion, is an assumption of power in that Court, hich is inconsistent with the nature and genius of our Government, and reatening to the liberties of the People. . . .

That there should be a power vested in Courts of Judicature, whereby ey might control the supreme Legislative power we think is absurd in elf. Such power in Courts would be destructive of liberty, and remove security of property.

One of the leaders of the principal meeting and a signer (and robably the draftsman) of the "Address" was one of the outanding politicians of the time, Melancthon Smith. He was one Hamilton's opponents, an indefatigable foe of the Constituon, who fought with virulence against its adoption in the New ork Constitutional Convention.[10]

Hamilton engaged (under the pseudonym "Phocion") in a rolonged and acrimonious newspaper and pamphlet argument ith Isaac Ledyard, who wrote under the name of "Menton."[11]

But the decision produced favorable and enduring results, too.

Upon receiving a copy of the opinion from Mayor Duane, General Washington wrote to him on April 10, 1785: "I must onfess that reason seems very much in favor of the opinion iven by the Court and my judgment yields a hearty assent to it." ater President Washington put Mayor Duane on the District ourt of the United States for New York.

The fundamental principle involved—that the powers granted the central government, whether by Articles of Confederaon or Constitution, take precedence over a State statute—thus ecame the very basic concept of the American federal system. was firmly established in our Constitution, sustained in *ibbons* v. *Ogden* (9 Wheaton 210), and followed to this day. was Hamilton's thesis to the end of his life.

And all this stemmed from the argument of the twenty-nineear-old lawyer, Alexander Hamilton, in his first court case in 784. It still illumines the American scene.

[10] James Kent, the famous Chancellor and author of the "Commentaries," who tended that Convention, wrote: "He [Smith] was Hamilton's most persevering and rmidable antagonist. But even Smith was routed in every contest."

[11] See *Hamilton's Works*, edited by Henry Cabot Lodge, Vol. III, pp. 119 *et seq.*

CUSTOM HOUSE PATRONAGE UNDER LINCOLN

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PATRONAGE PROBLEMS, which so often dominate the first months of a new Presidential administration, unavoidably did so in the case of Lincoln. He, like Eisenhower in 1952, had been nominated over bitter opposition in a sharply divided convention and had led into power a Republican Party that was ravenous for the offices of government. Personal competition among office-seekers proved less embarrassing to the new President than did the clamor of factional leaders on State and local levels in behalf of political lieutenants whose appointments would bolster their intra-party power. Seeing the need for a united party, Lincoln tried to use the patronage to bring the opposing factions together. This policy of placating the factions through a balance in the distribution of appointive offices, with all its attending frustrations, is well illustrated by Lincoln's handling of the spoils-ridden New York Custom House.

By 1861 the New York Custom House had become the most important patronage plum among all Federal offices. Political partisans had become entrenched there under the previous Democratic administrations. The Custom House was run as a powerful political engine, whose officeholders spent much of their time doing organizational work for the State machine. The neglect of the public business and the political assessments at the New York Custom House were reflected on a smaller scale in most of the other custom houses and post offices throughout the nation.

The Republican Party of a century ago had polarized into two factions, much as it has today. The Radical wing of the party numbered in its ranks an influential New York contingent: *Tribune* editor Horace Greeley, attorney David Dudley Field,

CUSTOM HOUSE IN MERCHANTS' EXCHANGE, NEW YORK CITY
Contemporary watercolor drawing at NYHS

nerchant prince George Opdyke, attorney Hiram Barney, ountry squire James Wadsworth, and editor-poet William Cullen Bryant. The Radicals were fiercely opposed by the Con- ervative faction of the party headed by the political partners Villiam H. Seward and Thurlow Weed. The New York Radi- als had helped stop Seward at the Chicago convention of 1860 nd hence had contributed substantially to Lincoln's victory here.

As the Civil War broke out it was apparent that Lincoln's rinciples were closer to the Conservatives who sought to make estoration of the Union the sole objective of the war. The Radi- als regarded the abolition of slavery as the only justification for he holocaust. Prophetically, the New York *Herald* predicted hat the struggle between the Republican factions would be "a remendous one, which must result in the final extinguishment of ne or the other wing. . . ."[1]

[1] New York *Herald*, March 5, 1861.

As soon as the Lincoln Cabinet was settled, the race was on for Collector of the Port of New York. The Collector, who ran the Custom House, was said to be "an official scarcely second to a member of the Cabinet in national importance."[2] Here the Conservatives, who had done well in the Cabinet, recognized that they were at a marked disadvantage, for Weed remembered with what surprise he had heard Lincoln's words, spoken after the Chicago convention: "If I am not induced by public considerations to change my purpose, Hiram Barney will be collector of the port of New York."[3] The Conservatives clamored against the appointment of so conspicuous a Radical but learned on March 26th that Barney had been nominated.[4] The Radicals had won a signal victory in the competition to control the spoils of office.

Barney, a fifty-year-old native of Jefferson County, New York, and a graduate of Union College,[5] had become an office lawyer who never went into court for the trial or argument of cases. In 1848 he had needed a new partner and his father-in-law, Lewis Tappan, leading abolitionist and philanthropist, interested attorney Benjamin Franklin Butler in a partnership with Barney. Within a few months the firm of Barney and Butler was formed, with Butler's son, William Allen, a junior member.[6] With some changes the firm continued active until Barney retired from it in 1873.[7] Young William Allen Butler found that Barney,

> partly through the influence of the Tappans and largely by his own . . . ability . . . as a manager of affairs and negotiator in differences between business men, had a large clientage of the best character and had many

[2] U. S. Congress, House, *Investigation of the New York Custom House*, Report 227, 42nd Cong., 2nd Sess., p. xlii.

[3] Thurlow Weed, *Life of Thurlow Weed* (Boston: Houghton Mifflin and Co., 1883), I, 612.

[4] Treasury Department, Applications for Collector, Box 143, Barney file. New York *Tribune*, March 12, 1861.

[5] De Alva Stanwood Alexander, *A Political History of the State of New York* (New York: Henry Holt and Co., 1906), II, 395.

[6] William Allen Butler, *A Retrospect of Forty Years, 1825–1865* (New York: Charles Scribner's Sons, 1911), 211–212.

[7] *Idem.*

tive litigations in progress. . . . He was not a student of the law as it as contained in books. . . . He was not much of a lawyer, but he was a ood judge of the law.[8]

Barney's relationship with the Tappans helped convert him to ie anti-slavery cause and Barney became an early Barnburner emocrat. An ardent supporter of Salmon Chase, Barney had a usiness acquaintance extending back for more than twenty ears with him, had loaned him small sums from time to time,[9] nd even advised the Secretary of Treasury on investments uring the Civil War.[10]

Barney had worked to secure the nomination for Chase at hicago in 1860, but when he saw it was hopeless had moved to the Lincoln camp. A friendly relation that developed with incoln largely explained Lincoln's appointment of him. When incoln was in New York early in 1860 for his celebrated ooper Union address, Barney took Lincoln to his home and incoln was very pleased with his attentions.[11] Barney became incoln's law agent in New York and had Lincoln transact busi- ess for him in Illinois.[12]

Over perfunctory opposition in the Senate, Barney was con- rmed, posted his bonds for office, and entered upon his duties arly in April.[13] Shortly thereafter Barney told Lincoln he would ursue a moderate policy "of removing from office for cause and ot for antecedent differences of opinion . . . [which] disappoints ie expectations of many good men. . . ."[14] Yet before the end of ie year Barney had grown impatient of Lincoln's moderate olicy and was anxious for the "speedy destruction" of slavery.[15]

The Naval Office at the Custom House, with its limited pa-

[8] *Ibid.*, 213.
[9] Carl Sandburg, *Abraham Lincoln, The War Years* (New York: Harcourt, Brace Co., 1939), II, 641.
[10] Barney to Chase, June 2, 1862, Chase MSS, L. C.
[11] Salmon P. Chase, *Diary and Correspondence of Salmon P. Chase, Annual Report the Amer. Hist. Review, 1902* (Washington: 1903), II, 482.
[12] New York *Herald*, March 14, 1861.
[13] New York *Tribune*, April 5, 1861.
[14] Barney to Lincoln, May 11, 1861, Lincoln MSS., L. C.
[15] Barney to Sumner, Oct. 8, 1861, Sumner MSS., L. C.

tronage, had been set up to check the Collector's department. Trying to deal justly with both Republican factions, Lincoln found the naming of the Naval Officer at New York a difficult matter. The Radicals backed Isaac Henderson, but Lincoln was unwilling to give them both the Collectorship and Naval Office. At the end of March there still was no appointment and New York's Senator Preston King, a Radical adherent, advanced the name of Philip Dorsheimer, German-American leader. Weed countered with a compromise candidate, John Bigelow, former member of the *Evening Post* who had supported Seward for the Presidency. Lincoln finally became tired of the squabbling and made his own choice in George Dennison.[16] Lincoln had to defend Dennison against the criticism of Secretary Chase and made it plain to the Secretary:

> I believe I have told you fully what it was . . . that pressed me to appoint him: the urgent solicitation of an old friend who has served me all my life, and who has never before received or asked anything in return.[17]

Collector Barney soon was involved with local political matters. In November, 1861, delegates chosen by the Republican Ward Associations nominated the Radical George Opdyke for Mayor. He had been defeated in the mayoralty campaign of 1859,[18] but won the office in 1861 after one of the closest triangular elections in New York City history.[19] Barney made a vital contribution to Opdyke's election, which was decisive, considering the closeness of the vote. Right before the election, at a conference with Opdyke, Barney had agreed to do everything he could in distributing the patronage to aid Opdyke's election. Barney's secretary later stated that after the election the two "had one of those periodical splits and grievances which occur among politicians," and Opdyke asked nothing further from Barney.[20]

[16] Harry J. Carman and Reinhard H. Luthin, *Lincoln and the Patronage* (New York: Columbia University Press, 1943), 62–63.

[17] Abraham Lincoln, *Abraham Lincoln Complete Works*, ed. by J. G. Nicolay and J. Hay (New York: Century Co., 1894), II, 47.

[18] New York *Tribune*, Nov. 16 and 20, 1861.

HIRAM BARNEY
Collector of the Port, 1863–64
Carte-de-visite by Brady
New-York Historical Society

GEORGE OPDYKE (1805–1880)
Mayor of New York, 1862–64
Photo, Meserve Collection
New-York Historical Society

Testimony taken before a House investigating committee in 864 illuminated Barney's handling of the Custom House pa- onage. The startling fact emerged that the decisive influence in ppointments and removals was that of Barney's private secre- ry, Albert M. Palmer, who had entered the Custom House in 861 at the age of twenty-three. "A boy in appearance, but not feeling," he was a native of Connecticut who had come to New York City, gone to law school, graduated, and for a year nd a half worked in a law office.[21] Palmer received his appoint- ent in the Custom House, which had no "regular designation" ut collector's "private clerk," through George Opdyke, whose on had been Palmer's classmate in law school. He attended to

[19] *Ibid.*, Dec. 4, 1861.
[20] U. S. Congress, House, *Committee on Public Expenditures*, Report 111, 38th ong., 1st Sess., p. 157.
[21] *Ibid.*, 155, Palmer's description of himself.

the "matter of filing applications for appointments, writing letters, and looking after the cases."[22]

Although there had long been an office of private clerk in the Custom House to handle the routine connected with appointments, Palmer admitted that "perhaps none of the clerks of the former Collectors attended so exclusively to the business of appointments as I did."[23] Every day Barney referred twenty or thirty men to Palmer who were seeking jobs, and Palmer would take charge of their applications, talk with them, and "do what I could to satisfy their claims."[24]

The relationship between William Z. Smalley and Palmer was revealing. Smalley was a broker and money-lender who was active in the Republican Party and had recently spent some $3000 in the party's interest. Palmer suggested that it would be expedient for him to have a place in the Custom House, and accordingly Smalley was appointed a debenture clerk at $1000 a year in the fall of 1862, with Smalley's stipulation that he "could take no place that required active duty." Smalley was happy until the Custom House became busy, when "the surveyor said I must go to work, and I resigned" in November, 1863! He admitted he was on duty only twelve days in a year and a quarter.[25]

Smalley was willing to testify that through his influence twenty men had received appointments in the Custom House. This was after the Republican organization had sent him a list of men which he presented at the Custom House. Palmer often borrowed money from Smalley and owed him about $1500 by 1864.

The Republicans gave Palmer the important job of making annual collections for the Party at the Custom House, for which he received a two and one-half percent commission of the full amount. It was not long before Palmer was a real power in the

[22] *Ibid.*, 148.
[23] *Ibid.*, 160.
[24] *Ibid.*, 150.
[25] *Ibid.*, 137–138.

y Republican machine and was able to obtain the position of lector of assessments for a certain Smith under the Democrat-Street Commissioner, for which Palmer was supposed to get -half of Smith's assessment fees.[26]

Custom House patronage was again used to good advantage at Republican State Convention of 1862 to nominate a guber-orial standard bearer. Conservatives and Radicals battled for ntrol of the convention, as Governor Morgan announced that was not a candidate for renomination.[27] Greeley led the Radi-s for James Wadsworth and Weed was active for Union mocrat John A. Dix. The presence of Custom House support d the announcement of Lincoln's preliminary Emancipation oclamation strengthened the hand of the Radicals, and Wads-rth won the nomination on the first ballot.[28]

There was evidence that the Conservatives were so aroused by Radical victory at Syracuse that they sabotaged the Repub-an ticket by either not voting or voting for the Democrats. In tober George Opdyke, speaking for the Union State Central mmittee, complained to Secretary of Treasury Chase that ew York was in danger of going to the Democrats. "At esent," he wrote, "full one-half of the immense patronage of Brooklyn Navy Yard is in the hands of our political oppo-nts [Conservatives?] and full one thousand men employed and id by the Government will cast their votes against its policy d in favor of the Seymour State Ticket."[29] Radical failure in election redounded to the advantage of the Conservatives, ce Weed had cautioned that the anti-slavery issue be toned wn.

In 1862, when the enforcement of the Union blockade of the

[26] *Ibid.*, 144–147.
[27] James A. Rawley, "Merchant in Politics: Edwin D. Morgan" (Ms. doctoral ertation, Columbia Univ., 1949), 333–334.
[28] New York *Tribune*, Sept. 25, 1862; Henry G. Pearson, *James Wadsworth of neseo* (New York: Charles Scribner's Sons, 1913), 154.
[29] H. R. Low and Opdyke to Chase, Oct. 17, 1862, Treasury Department, Applica-ns for Collector, Box 148, Chase file, National Archives.

Confederacy began to be more effective, trade between the United States and the West Indies increased sharply. To prevent aid from reaching the Confederacy through this trade, the Treasury required bonds to be executed (May 23, 1862) whenever there was "ground of apprehension that any goods . . . shipped . . . will be used in any way for the aid of the insurgents." Security was to be posted that the goods would not be transferred or used to give aid to the South, and by 1864 7,932 such bonds had been executed.[30]

The duty of preparing the form of the bond to be used, and of reviewing the correctness of the offered bond was the responsibility of Radical Republican Henry B. Stanton, husband of the feminist leader, Elizabeth Cady. At the time deputy collector in charge of the Ninth Division in the Custom House, he had been a candidate for the Surveyorship in early 1861. Stanton was an avowed partisan who thought it only fair that his wing of the party get the three top posts at the Custom House.[31]

In 1863 some New York papers carried "many cruel & damning charges" of misconduct against Stanton, which were allegedly based on a treasury agent's report. Stanton complained to Chase that he had not even been able to see the testimony that was gathered and pleaded his innocence.[32] The following year, however, a House investigating committee discovered that goods cleared by bonds were aboard captured blockade runners, and that large quantities of goods bonded at New York had turned up in the hands of Confederate agents in West Indian ports.[33]

As Stanton's activities came under scrutiny, the committee learned that he acted, from time to time, as legal counsel for persons and firms doing Custom House business at his bureau, and

[30] U. S. Congress, House, *Committee on Public Expenditures*, Report 111, 38th Cong., 1st Sess., pp. 1–2.

[31] Stanton to Chase, Apr. 1, 1861, Chase MSS., L. C.

[32] *Ibid.*, Nov. 1, 1863; Dec. 16, 1863.

[33] U. S. Congress, House, *Committee on Public Expenditures*, Report 111, 38th Cong., 1st Sess., pp. 2–4. Stanton has nothing in his autobiographical *Random Recollections* on this.

arged from fifty cents to twenty dollars for preparing papers
d affidavits to be approved and used by and before him.
nton also took bonds for sums much lower than those required
the value of the cargoes.[34]

In the summer of 1863 New York merchants heard that the
nds given in connection with the West Indian trade could be
ought up" at the Custom House. When Collector Barney
ard these reports, he had them investigated. Corroborating
idence was uncovered and on October 28, 1863, Deputy Col-
tor Stanton was removed from office with his son. The son
nfessed that he had sold bonds without the knowledge of his
her, but the committee would not believe that the father was
t directly implicated, since the bonds had to be executed be-
re him and locked up in his office.[35]

The House committee placed some responsibility for Stan-
n's malfeasance on Collector Barney. Although it was true
at his multifarious duties "necessarily forbid a personal in-
ection, if not supervision of all the bureaus . . . he cannot be
ld wholly blameless. . . ." It was Barney's fault that the bonds,
o radically imperfect," should have been kept in daily use for
onths before they were made conformable to the law author-
ng them.[36]

The staff at the Custom House increased only slightly during
e war. Between June, 1860, and June, 1865, the number of
nployees rose from 1,101 to 1,164.[37] Yet it remained the largest
ngle Federal office in the country. By contrast, in 1863 the
epartment of State, from its Secretary down to the lowest
ade clerk in offices scattered all over the world had only 411
nployees, and even the four hundred clerks in the New York
ost Office looked small compared to the Custom House's staff.[38]

[34] *Idem.*
[35] *Ibid.*, 4–7.
[36] *Ibid.*, 7.
[37] U.S. Congress, House, *Commissions to Examine Custom Houses,* Exec. Doc. 8,
th Cong., 1st Sess., p. 35.
[38] *Register of Officers,* 1863.

Among such a large number of employees the scandals of Palmer and Stanton were not isolated events. Late in 1862 the Solicitor of the Treasury Department observed of the Custom House: "nearly the entire body of subordinate officers in and about the custom-house are, in one way or another, in the habitual receipt of emoluments from importers or their agents." A lawyer declared he had paid to a record clerk $1800 within fifteen months' time, and a bond clerk with a salary of $1000 a year, after eight years of service, left the Custom House with $30,000.[39]

Other wartime abuses in the Custom House, some actually dating back far beyond the war, attracted the public's attention. There was, for example, the sampling abuse. By law the Appraiser was entitled to take a certain percentage of merchandise to the Appraiser's store for examination to test the honesty of the invoice. The *Times* remarked that, "It is noticeable that this discretion sometimes leads them to withhold a much larger percentage of champagne and other fine wines, than of less palatable articles, like castor oil."[40]

The Collector sold the labor contract to haul these sample goods from the ships and docks to the stores, to unpack the boxes and cases, and to repack them and return them to the owners after approval. Prior to 1859 the Custom House handled the job itself, but in that year Collector Schell, with the approval of Secretary of Treasury Cobb, made the first such labor contract. Enormous profits to the contractor soon grew out of the system.[41] On May 11, 1861, the unexpired part of the contract was assigned to new parties, which turned out to be Barney's own firm, for about $21,000.

Before long complaints reached Washington about abuses and

[39] U. S. Congress, Senate, *Letter of Secretary of Treasury*, Exec. Doc. 44, 37th Cong., 3d Sess., p. 5.

[40] New York *Times*, Jan. 9, 1865.

[41] U. S. Congress, House, *Report of Select Committee*, Report 49, 37th Cong., 3d Sess., p. 3.

ıe high prices that Barney's firm was charging the importers. As result, the contract was allowed to expire and was not renewed, ıe work being restored to the direction of the Collector and ustom House labor used.[42] Barney's act of assigning the con- act to his own firm, which then went on to squeeze the import- rs, probably helped weaken Lincoln's faith in him.

The most important patronage development of the year 1863 as the increasing dissatisfaction with Collector Barney's han- ling of the offices. The Radicals learned that in the off-year ections in New York the Custom House failed by forty per- ent to provide its quota of campaign funds.[43] They attributed ıe failure to Barney's poor management and further realized ıat somehow shrewd old Thurlow Weed had managed to win ıe friendship of the ambitious Albert Palmer and was getting a ir share of the offices. As early as March, 1863, Weed wrote ıat "Opdyke and Field are endeavoring to get Barney re- ıoved."[44]

Secretary of Treasury Chase, perennial aspirant to the Presi- ency, was appalled to learn that Weed was slowly winning ontrol of Custom House patronage, and tried to control Barney ırough personal letters and special messengers, but Barney re- ıused to give a definite assurance that he would actively work for Chase's nomination in the face of Lincoln's known desire for enomination.[45] Even Albert Palmer criticized Barney's capri- iousness in making appointments.[46]

The whole unstable situation in the Custom House was sud- enly precipitated into flux at the news that Palmer was arrested n January 7, 1864, and suspended from office on the eighth. A

[42] *Ibid.*, 49. Barney's partner in the firm was George W. Parsons.
[43] Rawley, "Morgan," 357.
[44] John Bigelow, *Retrospections of an Active Life* (New York: Baker & Taylor o., 1909), I, 610.
[45] Donnal V. Smith, *Chase and Civil War Politics* (Columbus, Ohio: F. J. Heer o., 1931), 96.
[46] U. S. Congress, House, *Committee on Public Expenditures*, Report 111, 38th ong., 1st Sess., p. 157.

United States Marshal had found papers proving that Palmer was receiving money for his services from businessmen, and in Barney's absence the evidence was laid before the Army commander in the city, General John A. Dix, who ordered Palmer's arrest and imprisonment.[47] At the time of his arrest Palmer was a member of the Republican State Committee, and "was really Collector of the Port."[48]

To Barney, Palmer's misconduct came as a complete surprise. He wrote Lincoln that Palmer's political integrity has been twice assailed by "political gentlemen" but each time careful investigation exonerated him. Barney had been opposed to Palmer's rise to the State Committee and his participation in the State Convention. The Collector regretted having reposed confidence in an unworthy man, but placed part of the blame on the system which made an office the prize of influence.[49] The full extent of Palmer's unsavory political activity soon came out in the Congressional investigation.

Barney had become an embarrassment to Lincoln and only the large figure of Secretary Chase stood between Barney and removal. However inefficient Barney had become, Chase knew he was still better than a Weedite. Lincoln tried to prepare Chase for the change, and in February wrote him:

> I have felt considerable anxiety concerning the Custom House at New York. Mr. Barney has suffered no abatement of my confidence in his honor and integrity; and yet I am convinced that he has ceased to be master of his position. . . . I propose sending Mr. Barney minister to Portugal, as evidence of my continued confidence in him; and I further propose appointing ——— collector of the customs at New York.[50]

In the early summer of 1864 Barney's official life hung in uneasy abeyance. The dominating consideration was how Barney's removal would affect Lincoln's chances for renomination, of which Lincoln himself took a dim view. As the Convention date

[47] *Ibid.*, 22–23.
[48] New York *Herald*, Jan. 9, 1864.
[49] Barney to Lincoln, Jan. 9, 1864, Lincoln MSS., L. C.
[50] Lincoln, *Works*, II, 481.

ew near the Radicals openly expressed their coolness toward n. In New York the Conservatives, too, were slow to fall in hind Lincoln, for though Seward had promptly come out in vor of Lincoln, Weed vacillated. With Palmer's arrest, Weed alized that his grip on the Custom House was broken, and he manded that Barney be removed and someone more acceptable himself be installed. Lincoln needed New York's support ry badly; he met Weed in May and assured him that Barney ould soon be removed. Weed then returned to New York to ork for Lincoln's renomination. Early in June, from a hall cked with Federal officeholders at Baltimore, Lincoln received e Republican nomination.[51]

The promise to Weed proved decisive. Lincoln found his op-rtunity to remove Barney in the squabble over a minor office. protest over Lincoln's unexpected appointment of John T. ogeboom as appraiser at large in the Custom House, Conserva-e John J. Cisco, the Assistant United States Treasurer at New ork, resigned. Chase was anxious to fill the vacated office with aunsel B. Field, but Lincoln objected, fearing an "open revolt" Weed and Company.[52] Secretary Chase decided to force the ue and, hoping to frighten Lincoln into acquiescence, sub-itted his resignation late in June, as he had done previously to in a point. This time he was stunned as Lincoln accepted it. he Custom House had precipitated a Cabinet crisis and forced it Lincoln's chief rival.[53]

Emboldened by Chase's withdrawal, the Conservatives at-cked Barney, accusing him of opposing Lincoln's renomina-on. Barney denied this and told Lincoln that he had distributed e patronage "to promote the Union and harmony of the sup-orters of the government," and the only reason he wished to main in office was to see certain reforms he had initiated rough to completion.[54] On August 31st Barney finally made the ove he knew Lincoln wanted him to make, and submitted his

[51] Alexander, *Political History*, III, 84–90, 95.
[52] Lincoln, *Works*, II, 539.
[53] Carman and Luthin, *Lincoln and Patronage*, 266–267; Rawley, "Morgan," 293.

resignation, to take effect on September 5th.[55] The Radical *Evening Post* lamented his departure: "We know of no reason why Mr. Barney should have resigned his place, as he discharged the duties of the office acceptably to the public and to the Department."[56]

Any estimate of Barney must consider that he held a difficult office under the peculiar stress of wartime and that he was exposed to the debilitating influence of factionalism. Yet he was himself a partisan, removing the substantial number of 525 officials in his three and a half years in office.[57] He reposed confidence in an unscrupulous and dishonest adventurer, Palmer, and assigned the labor contract for carrying appraiser's samples to his own firm. In 1881, when writing about him, Dorman B. Eaton said that Barney "was perhaps as good a collector as the system would allow him to be . . . but he could not withstand the system, though he brought in a better class of men than he found."[58]

On September 1, 1864, the *Herald* reported that Lincoln was about to appoint Postmaster Wakeman and Simeon Draper as the new Collector and Surveyor respectively, but that Draper wanted the Collectorship and had raised a protest which stayed Lincoln's hand.[59] Four days later it was announced that Lincoln had named two practical politicians to the Collectorship and Surveyorship—Draper and Wakeman. Greeley made the best of the appointments: "We need a collector of whom smugglers and undervaluers of goods will cherish a wholesome fear. . . . Such one we hope to find in Mr. Draper."[60] That night the suspicious but acute Secretary of the Navy, Gideon Welles, made his regular diary entry:

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[54] Barney to Lincoln, July 8, 1864, Lincoln MSS., L. C.

[55] Barney to Lincoln, Aug. 31, 1864, Treasury Department, Applications for Collector, Box 143, Barney file.

[56] New York *Evening Post*, Sept. 5, 1864.

[57] U. S. Congress, House, *Effects of Spoils System*, Exec. Doc. 94, 46th Cong., 3 Sess., p. 14.

[58] *Ibid.*, 15.

[59] New York *Herald*, Sept. 1, 1864.

HENRY B. STANTON (1805–1887)
Lawyer, reformer, journalist
Frontis. to Henry B. Stanton's
Random Recollections (N.Y.: 1887)

SIMEON DRAPER (1804–1865)
Collector of the Port, 1864–65
Photo: Meserve-Hoffman Coll.
New-York Historical Society

he selection of Sim Draper with his vicious party antecedents is abomi-
able. I am told, however, that prominent merchants advised it. This
ows how little attention should be paid to those who traffic. I have no
onfidence in Draper. I look upon him as corrupt, and his appointment
ill beget distrust in the Administration.[61]

Draper was sixty years old and for many years had been a
rominent merchant in New York City, but after a business fail-
re became an auctioneer. Formerly an active Whig, he had
oined the Republicans and in 1864 was Chairman of the Union
tate Central Committee.[62] He was a long-time associate of
Veed, had opposed Chase, and had been a pro-Lincoln delegate
o the Baltimore Convention in 1864. Weed described Draper as
npulsive, demonstrative, a good conversationalist and a ready

[60] New York *Tribune*, Sept. 5, 1864.
[61] Gideon Welles, *Diary of Gideon Welles* (New York: Houghton Mifflin Co.,
11), II, 138.
[62] *Appleton's Cyclopaedia*, II, 229.

wit, whose genial presence and cheerful voice was welcome at social gatherings.[63]

Draper was one of Lincoln's staunchest supporters and helped found the Union Lincoln Organization in New York to back up the Administration.[64] His loyalty was now rewarded. Though Weed would have preferred Wakeman over Draper, the Boss realized that Draper could be expected to use the Custom House patronage to advantage in the November elections.[65]

Lincoln removed the pro-Chase Surveyor, Rufus F. Andrews, and appointed Postmaster Wakeman, who was another old Weed associate, as his successor. Gideon Welles regarded Wakeman as "affable, insinuating, and pleasant, though not profound nor reliable,—a New York politician. . . ."[66]

Collector Draper took office on September 7th and the Conservative *Times* welcomed him as a man of "great promptness and decision of character," who "is familiar with the routine of commercial business."[67] There was great excitement and uncertainty among Custom House employees, and removal and its threat were enough to convert many of the anti-Lincoln men from their heresy.[68] Draper infused a sense of political discipline into his subordinates, reminding them of their duty to the Administration as the Presidential election approached. He made a total of 117 removals, "almost exactly one every third day, Sundays included."[69]

Henry J. Raymond, Republican campaign chairman, found the Custom House an important source of campaign funds. In late September a circular was sent out by the Union National

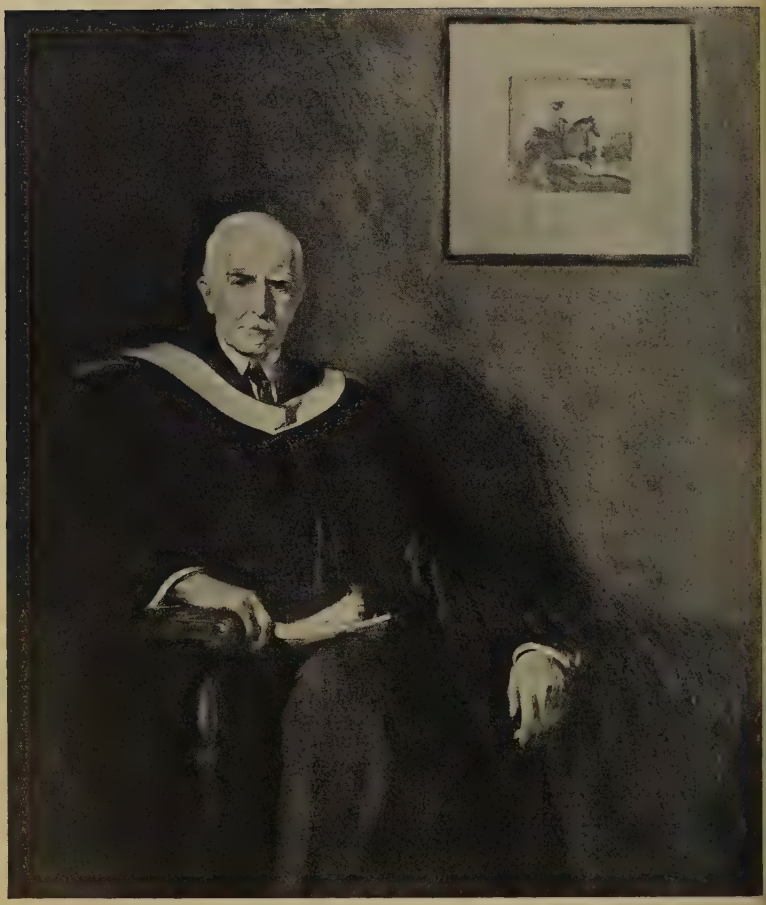
[63] Carman and Luthin, *Lincoln and Patronage*, 280; Weed, *Life*, II, 483.
[64] Draper to Lincoln, Mar. 3, 1864, Lincoln MSS., L. C.
[65] Brown, *Raymond*, 263.
[66] Welles, *Diary*, II, 122–123.
[67] New York *Times*, Sept. 7, 1864.
[68] New York *Herald*, Sept. 7, 1864.
[69] U. S. Congress, House, *Effects of Spoils System*, Exec. Doc. 94, 46th Cong., 3d Sess., p. 15.

ommittee assessing each employee three percent of his annual y for campaign purposes. Collector Draper coöperated fully th Raymond, although he knew Raymond had preferred akeman over him. Lincoln emerged with a perilously close ajority in New York, carrying it over McClellan by a scant oo votes. Weed's work saved the State for him, and Lincoln d well to cater to the Conservatives by dismissing Barney.[70]

Draper's term in office was a short one, as the tragic death of ncoln raised Andrew Johnson to the Presidency. Most Lin-ln appointees experienced acute feelings of insecurity, but ose that the removal wave passed could breathe easily, while hers, like Draper, were forced out of office. As Draper left the ustom House, the *Tribune* paid one of its rare tributes to a Con-rvative Republican: "Mr. Draper has proved a most excellent ollector—prompt, vigilant, capable, and thoroughly experi-ced."[71]

Lincoln's policy of doing justice to all factions failed to idge the deep divisions that separated Radical Republicans om the Conservatives. Different political backgrounds, dis-ites over national policy, and rivalry for power fed the schism. t Lincoln's death the struggle for control of the party reached w heights of acrimony, with the Radicals finally emerging iumphant.

[70] Carman and Luthin, *Lincoln and Patronage*, 289, 298; Brown, *Raymond*, 265.
[71] New York *Tribune*, Aug. 15, 1865.



PROFESSOR JOHN FERGUSON WEIR (1841–1926)

Portrait by J. W. Alexander, 1913

Gift of Professor Weir's colleagues, friends, and pupils, 1913, to
Yale University Art Gallery

THE RECOLLECTIONS OF JOHN FERGUSON WEIR (1841–1926)

Edited by THEODORE SIZER

III

EMORIES OF A YALE PROFESSOR 1869–1877

THE FOLLOWING covers but the first eight of Weir's forty-four years at Yale. His comments and appraisals for remaining thirty-six years would have been of lasting interest. had served so long as Director of the School and had become completely identified with it, that the two were synonymous. rsonal and institutional history were the same. It is a pity that did not finish his self-allotted task. A significant segment of le history is forever lost.

The School was an outgrowth of the Trumbull Gallery, ich was founded in 1831 (opened to the public in October 32) through the efforts of the eminent scientist, Professor njamin Silliman, Colonel Trumbull's nephew-in-law. The llery was solely an art museum, one of the earliest, in fact, in Anglo-Saxon world.

The School, which came thirty-three years later, was the oduct of the generosity of Augustus Russell Street, Yale 1812, New Haven, whose "aim was not simply to found a museum, t to establish a School for practical instruction for both sexes radical innovation over ninety years ago*] who are desirous of rsuing the Fine Arts as a profession." Two professorships were dowed by Mrs. (Caroline Leffingwell) Street, who, with her sband, had long resided in Europe and was, like him, appalled the artistic illiteracy in this country. The Streets had been eatly encouraged by recent signs of artistic ferment at Yale. n ambitious exhibition of paintings had been arranged by the*

College Librarian, Daniel Coit Gilman, the future president of Johns Hopkins University—once described as "a veritable engine of helpful activity"—and a half dozen other members of the faculty. The Streets were intrigued; together they gave a fortune—nearly half a million dollars—to Yale for art, divinity (1866), and modern languages (until 1864 officially outside the regular curriculum).

The cornerstone of the "Art Building" (years later renamed "Street Hall" in their honor) was laid in November 1864; the building was finished by Commencement 1866. Gilman's close friend, Professor Andrew Dickson White, was asked to head up the new School, but he was too busy in organizing a university at Ithaca, New York, with Ezra Cornell, to accept, declining the challenging offer in July 1867. It was the recently widowed Mrs. Street, possibly at the suggestion of the aged S.F.B. Morse (Yale 1810), the "extraordinary perpetual member" of the Art Council, who proposed young Weir. As we have seen, the latter assumed his duties in September 1869.

Gilman had been proud to recall that "Yale College long enjoyed the distinction of being not only the first but the only college in the country to establish an Art Collection" (the Trumbull Gallery). The School was another first; it offered the earliest technical (professional) training in the fine arts, in an institution of higher education in America, possibly in the Western World.

Three paintings played a large part in Weir's life: "An Artist's Studio" *of 1864 led to his election as Associate of the National Academy of Design, the* "Gun Foundry" *to his elevation to full Academician in 1866, and the* "Forging of the Shaft" *of 1867 his appointment to Yale. Mrs. Street herself commented that he was "favorably known as one of our most promising artists, particularly by his late extended and remarkable compositions." As we have seen, the three "remarkable compositions" were sold for "above $11,000," a goodly sum ninety years ago.*

Weir reached his greatest creative heights at the age of twenty-seven—and he lived to be eighty-five. In this he resem-

l Colonel Trumbull, who reached his at thirty and lived to eighty-eight. Diplomacy and business ventures dulled the ntive powers of the proud and gallant Colonel and excessive ninistrative duties those of the reserved and lovable Weir.

THE PROJECT of going to New Haven to take up the work of organizing a School of the Fine Arts in Yale Unisity seemed most attractive and important in its possibilites, l I gave a good deal of thought to it during my homeward vage.[1] The question arose as to whether this move would jeopize the freedom I had striven for and attained in my profesn, but I concluded it would be a simple matter to withdraw uld it prove detrimental to the first interest I had at heart—nely my life as an artist.

On landing, my wife and I had but a few weeks in which prepare for the change. When I went abroad I had turned over studio in New York to my younger brother Julian Alden eir, my junior by a decade or more, who was then just beging his study of art; on my return I found him painting in the n at home with the man of all work for a model and making od studies. It was not long before he was on his way to Paris ere he remained four years, a pupil of Gérôme[2] in the École Beaux-Arts. . . .

The next day was the opening of the College Term in Septem- 1869, and my first act was to call on the President, Mr. oolsey,[3] at his office, to learn what was expected of one filling position of dean or director of a School of the Fine Arts der these new conditions. It was our first meeting, and feeling t the conversation was a little formal I presently laid more

[1] See final paragraph of Part II on "The Tenth Street Studios."
[2] Jean Léon Gérôme (1824–1904), painter.
[3] Theodore Dwight Woolsey, President from 1846 to 1871.

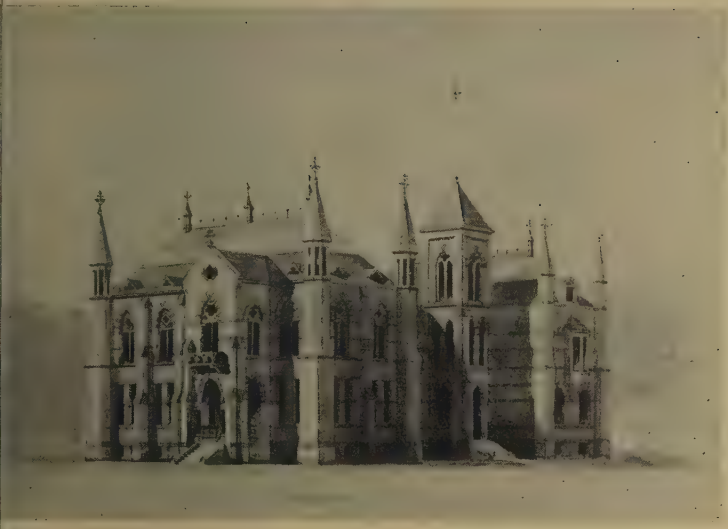
stress on getting acquainted with the President than upon the questions I had thought it necessary to ask. As he had turned aside from his books on my entrance I concluded that the occasion was perhaps quite as novel to him scholastically, as it was to me experimentally—a professional School of the Fine-Arts in this connection; but he hastened to repeat what he had written in reply to my note of acceptance, namely: "With regard to your duties, or any plans in regard to the School, the whole matter is within your power and you are entirely free to follow your own views; but," he added, "I shall be happy to see you and confer with you, and especially to meet you in company with Mr Salisbury[4] and Professor Porter[5] of the Council."[6] There could have been no more acceptable statement under the circumstances, for this implied a freedom of opportunity that was inviting and unhampered. The President then referred to a provise in my letter of acceptance: If the duties and responsibilities of the position did not seriously interfere with the practice of my profession. "As to that," he said, he "could wish that all the permanent appointees to the professional schools held the same view."

He then said he would ask Professor Porter to join us, and while he was absent from the room I had opportunity to review my impressions, concluding that everything had been said that was necessary at that time, the rest of the problem meant action. I was struck with his scholarly features and piercing eye, his fine head. He seemed not quite at ease in manner and speech, but forcible and just. This I felt—his personality bore the mark of distinction. When Professor Porter entered he seemed more affable, more sympathetic with the occasion—the establishment of a professional School of the Fine Arts as a distinct Department

[4] Edward Elbridge Salisbury, Professor of Arabic and Sanskrit, Member of the Art Council from 1865 to 1901.

[5] Noah Porter, Professor of Moral Philosophy and Metaphysics, President from 1871 to 1886.

[6] The Art Council, inaugurated in 1865; other members were: the President of the College, Chairman; the gifted amateur, Donald G. Mitchell ("Ik Marvel"); Daniel Huntington, President of the National Academy of Design; and S. F. B. Morse, the "extraordinary perpetual member."



VENETIAN GOTHIC ART BUILDING ON THE OLD YALE CAMPUS
Watercolor by the architect, Peter B. Wright
Yale University Art Gallery

he University; for it was the first instance of the kind on re-
d, either here or abroad. When I left the office Professor
ter accompanied me to the Art School and showed me over
building; a fine, large stone-structure by the same architect,
. Wight,[7] who had designed the National Academy of Design[8]
Twenty-Third Street, New York; with three large exhibi-
n-galleries, six class-rooms, three studios for professors, and
rtments for a library and a lecture-room: the building has
e been enlarged by the addition of three new galleries and
class-rooms.

As to the material aspect of Yale College fifty years since, the
ldings then standing on the campus have all vanished save the
School, the old Library, and Connecticut Hall: the change

Peter Bonnett Wight, a devoted follower of the precepts of Ruskin.
Finished March 1865. Both buildings follow the style of architecture championed
ohn Ruskin—Venetian Gothic.

suggests what I recalled in Memories of West Point. The college campus was enclosed with a barred fence and on the west side north of the Art School there was an old wooden dwelling used as a commons; to the north of this stood the Library (which still remains, a dignified structure); then followed large coal sheds and finally Alumni Hall, now replaced with Wright Hall. The "brick row" as it was termed, the original line of buildings comprising Yale College, included four large dormitories, the College Chapel, with the Athenaeum and Lyceum; the line of structures ran through the middle of the campus north and south; though plain architecturally they possessed character and antiquarian interest; the College Chapel standing transversely in the middle of the line with an insistence in common with that of the three churches planted in a row in the centre of the City Green which reminded one of Puritan times and perhaps was a relic of that in sentiment.

The Yale School of the Fine-Arts as a distinct department of the University with it own dean and faculty took its place beside the departments of Law, Medicine and Theology "with equal rights and privileges." These professional schools compared with their present status were all then in embryo, with small lists of students: that was before the College had grown into a University, or was so designated. The special activities concerning this change took shape under President Dwight's administration some twelve years later; and I may mention incidentally in this connection that an initial though unofficial meeting to consider a proposed change from the old under-graduate form of "Commencement-exercises" as they were termed, which were then held in Centre Church on the City Green, into a University Commencement, took place at my house[10] at the suggestion of Dr. T. T. Munger[11] of the Corporation; where some sixteen pro

[9] Timothy Dwight, President from 1886 to 1899.

[10] S. F. B. Morse's old house at 58 Trumbull Street; Weir lived there until 1914 when it was purchased by his successor, William Sergeant Kendall.

[11] Theodore Thornton Munger (1830–1910), Congregational clergyman.

ssors met to discuss the subject informally. Professors Lounsry[12] of the Scientific School and George P. Fisher[13] of the neological School gave their observation of customs and cereonies in the English and Scottish Universities where they had spectively received honorary degrees. This original discussion the subject was of interest and had its effect in hastening the option of an official plan that was carried out I think at the next mmencement—but this is anticipating.

The Art School was the first of the new buildings erected in nnection with any department of the university; the Academ- Department together with the Theological, Medical, Law and ientific schools had not as yet entered upon this new building a. The Theological Department, as the School of Religion was en designated, was housed in North College on the campus; the w School was quartered in the County Court House; while e newly created Scientific School was in an old building still in e but partly made over with an observatory at the northern end College Street. In the middle of the campus stood the Trumll Gallery,[14] then containing the offices of the President and reasurer[15]; south of this was the Geological Building with its binet of minerals: and still further to the south was the old lliman Laboratory[16]—a small brick structure of one floor with cellar, where it was said Chemistry was first taught in this ountry: but as I recall it there was then no laboratory work for asses. Lectures largely theoretical even in science were still in e as a teaching means, research not having yet come to the fore: e prominent scientist of the College was Professor James B.

[12] Thomas Raynesford Lounsbury, Professor of English.

[13] George Park Fisher, Professor of Ecclesiastical History from 1861 to 1901, one Weir's closest friends.

[14] Designed by Col. John Trumbull in 1831, opened in October 1832, the earliest museum connected with an institution of higher learning in the United States.

[15] The gallery was transformed into an office building, with windows pierced in walls, in 1866.

[16] Instituted by Benjamin Silliman, Professor of Chemistry, Mineralogy, Pharacy, and Geology, founder of the Trumbull Gallery.

Dana[17] who had a wide reputation. I recall President McCosh[18] coming from Princeton to give a lecture on "Star-Dust," treating his theme with a metaphysician's freedom and drawing a large audience—but the lecture was given in Centre Church.[19] I mention these details of the material aspect of Yale College and a few other characteristics of the time, because they are of interest as things of the past standing in marked contrast with the present status and aspect of Yale University; I refer to them also as suggestive of the conditions in which my own activities began in connection with the School of the Fine-Arts.

My first Commencement Dinner was a formidable affair for me. Professor Daniel C. Gilman[20] had charge of the arrangements and as a new feature he had placed the newly appointed professors, W. P. Trowbridge[21] of the Scientific School and myself, at the raised table of the President and Board of Trustees. The dinner over and formalities begun, Professor Porter rose to introduce Professor Trowbridge (an old friend of ours as Captain of Engineers and Instructor in that department at West Point); this gave me time to experience to the full my embarrassment, with some futile effort to reduce this to a state of coma. It was estimated that there were about seven hundred of the alumni seated at the tables and the graduating class was pressing in from the large tent outside with "standing room only." When my friend Trowbridge sat down with the customary applause Professor Porter made a few cordial remarks in presenting "the dean of the newly created School of the Fine-Arts," and it was this phrase that steadied me a bit, for words came to me out of the blue relative to that project, closing with my quoting a remark made by Daniel Huntington, President of the National Academy of De-

[17] James Dwight Dana, Silliman Professor of Geology and Mineralogy.

[18] James McCosh, President from 1868 to 1888.

[19] On the New Haven Green, built, 1812–1818, by Ithiel Town, 1784–1844.

[20] Daniel Coit Gilman, College Librarian, Professor of Physical and Political Geography, one of the most active members of the Art Council, later President of Johns Hopkins University.

[21] William Petit Trowbridge, no. 1369, West Point Class of 1848, Professor of Dynamical Engineering.

n and an alumnus of Yale, on my leaving New York for New ven:—"Well Weir," he said, "You are going to live among owls and big-wigs of Yale! Don't let that be the last of you!" My studies at West Point and my experiences in New York l abroad were all favorable to the solution of the problem that before me in New Haven. I made myself familiar also with at was then going on in the other departments of the College; leed for the first two years, while I was alone upon the ground, was not an inattentive student of anything I thought might e some bearing on my own endeavors. After establishing hnical classes in several departments of the School as a begin- g of the professional courses I saw also the necessity of start- the work with loan-exhibitions of a representative character, nprising the best examples selected from private collections in w York and elsewhere to which I had friendly access; these ibitions yielded a considerable profit which was applied to rnishing the classrooms. I also prepared courses of illustrated tures as a means of enlisting public interest and making known aims and objects of the School, to attract students.

My first written lecture I asked Dr. Woolsey if he would do the favor to look over, that I might have the benefit of his ticism before its delivery, as the experience was new to me. On return I found he had written a few brief comments in lead- ncil on the margin of the page, and opposite an epithet I had d in disparagement of a certain kind of art he had written the rd "small!" I blushed when I saw the criticism, but it was the ng of the characterization that deepened my sense of the ne- ssity of carefully considering the form of expression, as well as matter, in preparing lectures. It was necessary to train myself this respect and I sometimes attended lectures more to observe lecturer's method than from interest in his subject, provided was natural, efficient and capable.

I rewrote the lectures several times, I will not say how often, to ke them acceptable to myself; then I took them to the lecture- om with a lighted candle late at night and delivered them to the

empty space, to train the voice in clearness and capacity and become familiar with the spoken text. In short I realized that nothing was worth doing that was done without preparations; this I had learned in the study of art; but I was grateful for that stigma used by Dr. Woolsey because it drove its significance home. Having exposed my shortcoming it may be proper to state that when those lectures were eventually delivered President Woolsey attended them all, with what was largely a university audience that more than filled the hall with its seating capacity of nearly four hundred.

The lectures were reported in full in the New York *Tribune*, and *in extenso* in the *Times* and *Evening Post*. I mention this simply to indicate what contributed to make the Yale School of the Fine-Arts quite widely known and enlisted interest on the part of the College and the community in its work. I may also add that the publishers Messrs. Dodd and Mead asked permission to publish the lectures in book form, but I found they continued in demand as lectures, for I received letters from President Eliot of Harvard, Doctor McCosh of Princeton, Mr. Lowell of the Lowell Institute, Boston, and from many other colleges and societies inviting me to give them elsewhere, which I did; but finally concluded that this outside work, though remunerative as supplementing my diminished professional income, was a tax on my time and energy and I withdrew from it. Edwin Booth once said to me: "a painter's work remains a record of his art, but mine becomes but a memory when the curtain falls, and like most memories is soon forgotten." If this be so with a great actor what could it be with a college lecturer but an ephemeral task?

Fortunately I could so arrange my time for lecturing at Harvard[22] that I remained in Cambridge while giving the course; this enabled us, my wife being with me, to see more of the University and Cambridge society than we otherwise could have done. The evening of my first lecture included a dinner at Presi-

[22] "University Lecturer" from 1873 to 1875; his subject was the "Means and Principles of Art."

nt Eliot's.[23] Owing to some unavoidable detention we were e on our arrival, the guests had all assembled and with a brief use for introductions we went immediately to the dining om. Among others whose names I cannot recall, Professors urney,[24] Child[25] and Cook[26] were present. After some interest- g conversation with Mr. Eliot I was presently attracted by a ung man whose name I had missed in the haste of the intro- uctions and I told him so. "James,"[27] he replied: whereupon I id, "There is a philosopher in Cambridge of that name whose ok I have recently read—*Substance and Shadow*." "He is my ther," he answered, "and I will tell him I met some one who s read his book: he will be mightily pleased": the father called n me the next morning, and on my inquiring about a more re- nt book of his which I had not seen, he said he would send it ound to me "with a band of music." When I met William mes at President Eliot's he was then I think, Tutor in Mathe- atics, with his distinguished career yet to come of course, but s talk was attractive: he attended the lectures!

A dinner preceding a lecture is apt to be somewhat fragmen- ry in conversation, and on my saying to President Eliot that I as glad of this opportunity to see Harvard after having become ell acquainted with Yale he invited me to accompany him the xt morning in an inspection of some of the Departments. I may ld here that this gave me occasion to note some distinctions be- ween the two Universities which interested me at the time, but t so much as did the President's agreeable companionship.

But to return to the dinner: when we rose from the table and entually reached the lecture-hall, there we found Mr. Long- llow seated in the front row of a full house—unfailing as ever

[23] Charles William Eliot, President from 1869 to 1909.
[24] Ephraim Whitman Gurney, Professor of History, Dean of the College faculty om 1870 to 1876.
[25] Francis James Child, Professor of Rhetoric and English from 1851 to 1896.
[26] William Cook, Yale 1861, Instructor and Professor of German from 1873 to 84.
[27] William James, Tutor in Mathematics, Instructor in Physiology from 1872 to 73, later Professor of Philosophy to 1897.

in his interest when he thought it might be of service to one he knew personally. For we had met the poet in Rome and again at Cadenabbia, on Como, where he was with his family and "Tom" Appleton,[28] his brother-in-law. We arrived at a late dinner-hour, and seeing us enter the dining room Mr. Longfellow came foward and asked us to sit with them at their table. He was then I think correcting the last proofs of his translation of the *Divina Commedia*[28a] and on his birthday, a day or two later, the priest of the village, with a group of little children decorated for the occasion, "waited upon him with flowers"; the priest adding a few appreciative sentences in Italian which pleased the poet, for it was a graceful tribute.

As I settled down to the routine of the lectures our stay in Cambridge became simpler in its social aspect. In his morning walk to the Post Mr. Longfellow would sometimes stop at our door on Brattle Street to invite us to an informal luncheon. It would be difficult to express adequately the pleasure of this friendly intercourse with the poet, for we always came away from his presence with a feeling that we had been with one whose spirit expanded and uplifted the ideals of life. I think it was at a dinner at the Longfellows', or at his son's home, that we first met William Dean Howells, then Assistant Editor of the *Atlantic Monthly* and living in Cambridge. Much that was to give him a permanent place in literature was yet to follow but in potentiality this was already manifest in his delightful naturalness and wit. He was also present with us at a dinner at Craigie House[29] following soon after some love-letters of the previous century were occasionally found lying on the steps of the cellar stairs and where they came from remained a mystery; until eventually it was discovered that they issued from a crack in the riser of the step above that on which they were usually found, which proved to be the back of a hitherto unknown closet and the letters were

[28] Thomas Gold Appleton (1812–1884), artist, author, poet.
[28a] Published, Boston, 1867.
[29] Longfellow's home.

eased by the pressure of the cook's footsteps in passing up and wn the stair. In telling us of this incident Mr. Longfellow ightened the effect by lowering his voice and raising his eye-ows in a delightfully expressive way before he solved the mys-y.

We dined also with the Aldriches: Aldrich was then Editor of *very Saturday* and living at Elmwood, Lowell's home, who as then in Spain or Italy. I had known Aldrich in New York d recently I found among some memorabilia a little photo-aph taken in Launt Thompson's studio, with Edwin Booth, . B. Aldrich, the sculptor and myself, looking at a bust of Booth as Hamlet" which Thompson was then modeling: a ance photographer glancing through the open doorway recog-zed the actor and asked permission to photograph the group. While dining with the Aldriches we were joined at table by a iet gentleman who remained silent through the dinner and at close retired up stairs. As Aldrich and I were lighting our gars in Lowell's study I asked: "Who is your friend? He re-inds me of Dr. Dick in David Cooperfield!" Aldrich, laughing this, said: "He came to us four years ago for a three days' visit d has been with us ever since!" I never was quite certain hether he was serious in this remark, for he was an inveterate ker. The sequel to that long visit was his leaving to Aldrich a rge fortune. We looked over Lowell's books together: some of em were filled with copious notes in lead-pencil; the study oked as if Lowell had but just stepped out for a walk in the pen.

There was also an evening at the Gurneys, with others to meet s. As Professor of History I recall his mentioning that he had st finished rereading Gibbon after a long interval, concluding at the great historian had "squeezed the juice" from all the urces; that nothing of importance remained to be added to his ork. This was high praise indeed from an historical student of rofessor Gurney's rank, after scrutinizing subsequent data in e light of modern criticism! Then there was a large dinner with

College people at Professor Cook's, and a small but very agreeable one at Mr. George Palmer's[30] where we met Professor Sophocles,[31] who with his Greek lineage and physiognomy might well have been a descendant of his famous namesake: indeed I felt a little awed by the thought of it as a possibility: Mr. Palmer was then Tutor in Greek.

As President Eliot's guest I went with him to the monthly dinner of "The Saturday Club," at the Parker House in Boston at two o'clock, and was placed between my host and Francis Parkman[32] who very kindly told me "who was who" as the seats were filling up. There were perhaps some twelve or sixteen members present, as I now visualize the table from memory after the lapse of half a century. Emerson, whom I had hoped simply to have seen, was absent; Lowell was abroad and Hawthorne and Whittier also absent; but it was a brilliant company nevertheless with Oliver Wendell Holmes sitting close by at our end of the table, carving, and Mr. Longfellow at the other end.

Through habit of mind an artist may be quite content simply to observe what transpires before the eye, interpreting this not in words but impressions, and as for conversation Doctor Johnson reckoned a good listener an important factor as well he might. But aside from these qualifications for meeting the Saturday Club which I possessed in moderate degree, I sometimes have had occasion to recall my father's library of which I had the care as a youth, with that of his studio: it was not large, but select and of a gradual growth in things old and new. The care of that library and studio at West Point I have come to regard as the most serviceable part of my education for what they contained of treasures of the past; this meeting with the Saturday Club brought that experience to mind. But the time that intervened between that dinner and the present writing is so considerable that I can recall little or nothing of the conversation beyond the

[30] George Herbert Palmer, Instructor in Philosophy from 1872 to 1873 and Professor to 1913.

[31] Evangelinus Apostolides Sophocles, Professor of Greek from 1860 to 1883.

[32] Whose *Old Régime in Canada* had just appeared.

pression that the talk was good, spontaneous and simple as one ɔuld expect, though at times spicy and now and then critical— when Mr. Longfellow contrary to his usual urbanity took dge Hoar[32a] to task for some political utterance of his reported the morning paper.

Toward the end of the dinner Doctor Holmes overhearing me converse on the Huguenots of Canada between Mr. Parkɪn and myself caught up his chair and placed it beside us, rowing my thoughts into confusion by the simple proximity his nimble wit. I suppose anyone outside the literary fraternity finding himself by accident sitting at table with the Saturday ub without bays, or laurels, or imaginary wreaths of some rt in common with the rest, will understand my embarrassment ıen the Doctor suddenly turned his attention to me as a neighɔr, causing me to blush with shyness; but his kindly humor used that feeling to pass before I had said anything superfluous the form of compliment to himself; he inquired about the litary men at Yale.

As we rose from the table there were some further introducɔns, but these also seem to have passed out of mind as they were ıt incidental. On our way back to Cambridge in thanking Presint Eliot for the pleasure he had given me I was still aglow with e impression of meeting that interesting company. I was still ɔung in years and feeling, yet wise enough to appreciate that ıring that visit to Cambridge I had come in contact with the erary mind of the place in a quiet way that was very delightful, ecause it was so simple and natural.

These later memories seem to have taken on more of a literary ɔloring than that of art, but as to the latter I confess I felt somehat isolated during those earlier years at Yale. A time came ɔwever when I could appropriate a whole summer's vacation ıinterruptedly to beginning a replica of "The Forging of the ıaft,"[33] the picture that was burned while I was in Europe. Some

[32a] Ebenezer Rockwood Hoar (1816–1895), Associate Justice of the Massachuts Supreme Court.

[33] In 1877.

"FORGING THE SHAFT," BY JOHN F. WEIR

Replica, 1877, of the 1868 original which was destroyed by fire

ars had elapsed but I had the studies and the will to repeat the ork as a record and within the year I had it completed: this was e picture sent to the Paris International Exposition of 1878, d eventually was purchased by the Metropolitan Museum of t.[33a] I realized while at work upon it how futile were the words my letter of acceptance to President Woolsey of almost a dec- e before, with respect to the work of the School not interfer- g with the practice of my profession; for the attention given to ganizing and developing the Art Department had been unre- tting; I had put my ambition in the work to make it a success. But now I will revert to a few of my earlier impressions of the ace and its personnel, to vary the theme. When we first went New Haven a few of the older customs still survived; within e College circle the dinner hour was one o'clock; suppers and rmal receptions comprised the forms of social entertainment d we went the round of these, for we were hospitably re- ived. Sunday, or the Sabbath as it was still termed, began Satur- y evening at sundown and ended Sunday evening at the same our; during the interval few or no calls were made. The College mily, so to speak, was then much smaller than it now is, and ore homogeneous; that is to say it was more of a social unit, one ight know all the professors familiarly and it was an agreeable ciety: my early life at West Point, with the academic associa- ons there, made me feel at home among my new associates.

As to the professors of that day, proportionately there seem to ve been a larger number of distinguished men in the faculties an was the case later— I mean men of outside reputation; mod- n specialism had not yet come to the fore with it narrowing of e interests, tastes, and even educational bias in the individual. here may have been since a rise in the quality of the average aching-force in colleges, but those who stand out from this erage with marked reputations seem proportionately fewer number than formerly. Recalling my impressions of the per-

[33a] Erroneous; it was the gift in 1901 of Lyman G. Bloomingdale to the Metro- litan.

sonnel of the College Faculties of that day the older men seemed broader in their sympathies and interests than the younger professors, with few exceptions: this was noticeable because it was unexpected, experience doubtless contributing to this, as in other occupations: I refer more particularly to qualities of mind and the estimate put upon college customs and traditions.

There was then manifest some jealousy of the sturdy uprising of modern science as an intruder in the field of higher education, finding in things interrogated in the laboratory by inductive methods, criteria for a new rating of educational values which differed from former estimates resting mainly on the classics, or on what were then designated the humanities—a term now become obsolete. And in a minor degree in connection with the professional schools there was also noticeable what seemed to be a feeling with some that these schools lowered the academic estimate of the value of the knowledge of abstract principles simply as a matter of culture, through applying them to specific ends "for earning a living," while among the undergraduates there were a few idiosyncracies which I failed to diagnose—though they may have had some connection with what is hinted above. For instance, not a few seemed to regard it as of merit never to have entered, even for casual observation, any of the professional schools during their college course. This would seem to imply an academic caste of some kind, in face of which students of the then newly organized Scientific School especially, were regarded as in a sense plebeian.

Failing to solve these mysteries, as impressions largely in the air and therefore intangible, I will give an instance of one of them in the way of illustration. After a lecture on one occasion I was followed to my room by a clever-looking stranger whom I invited in. He said he "enjoyed the lecture, and particularly the wonderful collection of Italian Primitives in the gallery": then with a smile he added, "I am a recent graduate of Yale but I never was inside the Art School before!" Why was that? I asked. To this he replied with an expletive in the form of self-criticism,

ling, "We thought it *infra dig.* even to look in at the profes-
nal schools!" Insignificant as the incident was it indicated a
judice of some kind to be overcome.

refer to these things simply as curiosities of the under-
duate mind of the time: for the Dean of the Academical De-
tment, Professor Wright,[34] was most cordial and appreciative
his attitude toward the Art Department and showed his per-
al interest in furthering some affiliation of interests by aiding
l eventually consummating our endeavors to establish techni-
"Art-Electives" for the senior and junior academic classes;
l also by his promoting the request that in certain cases an
demic student might be permitted to attend some elementary
ctice in the Art School throughout his college course, provid-
it was his intention to follow art professionally after gradua-
n; for there were a few who had this purpose in mind. What
Art Department desired was, to get hold of students whose
ulties had already received some academic discipline before
ering upon the absorbing study of art with a professional aim.
But I do not purpose to make of these personal recollections a
ailed record of the developments of the Yale School of the
ne-Arts, beyond what may serve simply as a background for
impressions of the life and personnel of the place and time.
new experience as a college professor and dean necessitates
ne reference to the work of organizing a new department in
University, but my impressions of the life and characteristics
the time and place are what I would now recall. A large body
active-minded men—the teaching-force of all grades then
mbered about seventy—all busy as teachers and specialists in
various departments of the University created an atmosphere
its own, in some respects what seemed to be a habit of mind
culiar to the aims and objects of the institution as a whole. I
metimes wondered if art, as to its essentials, could really flour-
in this atmosphere of learning, recalling what Lowell had
d of his own experience: that he thought his "scholarship

[34] Henry Parks Wright, Professor of Latin, Dean from 1884 to 1909.

interfered with the best expression of his poetic sense," as something foreign to its higher aims.

But the question as to whether an artist could be bred in a college community was perhaps beside the mark, for all schools of training are simply preparatory in their aims; in the college they may occasionally create a scholar, or a critic, but as distinguished from the maker or producer in any form of art; for with the latter there must come a time when the training of the school is superseded by the activities of self-development with another aim, and the school is forgotten. Such thoughts came to mind in connection with my own work as a professor when I glanced back at the freedom of past activities which seemed more suggestive of nature and life.

At times I recalled the open-aired freedom of the world's activities with their adventurous surprises and possibilities, and to keep in touch with this I planned a banquet in the Art School to which I invited as guests of the institution a number of the leading painters, sculptors and architects, men of mark, to offer suggestions as to the field of its work from a professional point of view: asking President Porter to preside, and inviting a few of the professors from other departments of the University to assist. This was not without results: the guests were particularly interested in the equipment of the School and in the character and quality of its work; recognizing that it was then the only School of the Fine-Arts in this country or abroad—with the single conspicuous exception of the École des Beaux-Arts, where the Arts of Design are all assembled in one school because of their mutually related interest; but in separate *ateliers*, four in each art, with their different courses of instruction under their respective professional masters—but the École des Beaux-Arts is supported by the state. So far as practical conditions and developments would eventually make it possible to consummate the aim, this was the general plan to be followed in the Yale School of the Fine-Arts, modified of course by the actual conditions to be dealt with.

Within the first two years the funds of various description ıre increased by some forty thousand dollars, including the ındation for a professorship of drawing, which was ably filled Professor Niemeyer,[35] and eventually, through gifts and spe- ic endowments this was further increased to more than two ndred and fifty thousand dollars. Contributions to the funds ere seldom solicited; it was left for the work of the School to oduce its effect in securing aid; the larger gifts were all of that aracter, two of sixty thousand dollars each. Insomuch as oney is representative of what it may bring to pass in the form institutional developments it seems proper to mention these cuniary results as indicating that the Yale School of the Fine- ts would eventually realize its aim in its several departments of inting, sculpture, and architecture.

The College, or the University, was then poor, as to its treas- y balances, and for thirty or more years the Art School had ver made application to the Corporation for pecuniary assist- ce in its development; this I regarded at the time as a matter of ide, but now I think it was a mistake. For on two occasions, nen the purchase of the Jarves Collection[36] of Early Italian intings was effected, and again when the beautiful Belgian ood-carvings of the 16th century were secured for the Univer- y, the means in both instances were forthcoming—this I refer as distinct from the developments of the School.

Nevertheless the faculty was gradually increased to six mem- rs and the several branches of art were all under capable in- ructors, Mr. Richard H. Dana[37] in Architecture and Mr.

[35] John Henry Niemeyer, who received his training at the École des Beaux-Arts, ırer of the tradition of Ingres and Gérôme, was Professor of Drawing from 1871 1908; elected A.N.A. in 1905. Yale possesses forty-one of his works. He was suc- eded by Edwin Cassius Taylor, who, at his death in 1935, was Street Professor of nting and Design.

[36] Collected in Italy in the 1850s by an extraordinary man, James Jackson Jarves on of Deming Jarves, who had made a fortune manufacturing glass at Sandwich, pe Cod, Massachusetts). Jarves brought 119 pictures, most of them tempera on ood panels, to this country in 1860. They were deposited at Yale in 1868 and pur- ased by the College in 1871. The Bryan Collection, containing about 30 early lian pictures, arrived in 1853 and was acquired by the NYHS in 1867.

[37] Richard Henry Dana, a graduate of Harvard, of the Columbia Architectural

Lawrie[38] in Sculpture; while the body of students averaged above a hundred.

Here the manuscript comes to an end, though further unrelated fragments exist. As we have noted, the old gentleman never got around to finishing the account of his long and useful life. The following is added by the editor to complete the story.

Weir's early and brilliant success was due, as we have seen, to three paintings; his later frustration was also threefold. The first and most serious was the lack of adequate operating funds and money for growth and expansion of the School. His visions remained such. Year after year he tried to institute architectural training; although he made a beginning, his dream, though seemingly near realization, was tragically left unfulfilled. When sufficient funds, due to his ceaseless and constant campaigning, came at last, they did not become available until a decade after his retirement, three years before his death at the age of eighty-five (Everett Victor Meeks becoming the first Hoppin Professor of Architecture in 1923). Weir foresaw as early as 1910 the expansion of the Art Building, "an Annex across the way . . . on the northwest corner of Chapel and High Streets . . . connected with the present building by a covered archway over the street," which was ultimately achieved by the vigorous and energetic Meeks in 1928.

Weir not only had to battle poverty but apathy. Provincial, post-Civil War New Haven was not Periclean Athens, imperial

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School and the École des Beaux-Arts, was Instructor in Architecture from 1908 to 1916. In many ways he was the founder of architectural studies at Yale, which took place under Weir's regime. In 1916 Dana induced the singularly successful Everett V. Meeks to accept the appointment as his successor.

[38] Lee Lawrie, Instructor in Modelling and Sculpture from 1908 to 1918, Yale B.F.A. 1910 and hon. M.A. 1932. He did a considerable amount of sculpture both at Yale and at the United States Military Academy at West Point among other places. In 1918 he was followed by Robert Georges Eberhard, who retired as Professor of Sculpture in 1952.

me, nor cosmopolitan Paris. The aesthetic climate of Calvinic Connecticut was anything but Mediterranean; it was neither ld nor stimulating. The College faculty was friendly—rtainly not hostile—but indifferent at best, and non-coöperae at worst. His slenderly supported School was amiably tolerd—and that is all.

The biggest stumbling block during Weir's entire incumbency was powerless to remove. The best student material sought truction in the great centers of European culture—Rome specially for sculptors), Paris, Düsseldorf, and Munich, where truction was well ordered, the atmosphere beneficently ingorating, and living cheap. These conditions remained in force til the outbreak of World War I in 1914, the year after the old ntleman's retirement.

Weir put on a brave front no matter what lay beneath the rface. He had two avenues of escape from administrative duties rt and religion. He became immersed in mysticism. Many of closest friends were clergymen. The result of his studies and editations was a little volume, The Way *(1889), on "the nare and means of revelation," which had excellent reviews and d out. It was also published in Edinburgh, Scotland, from hence came his grandfather, the Scots being interested in mysism. Its success encouraged him to write a second volume,* uman Destiny in the Light of Revelation *(1903).*

The author-painter wrote a critical essay on the death of his rmer companion-in-arms, Sanford R. Gifford, the landscapist, the Metropolitan Museum of Art (1881), and, at the time of e Yale Bicentennial Celebration (1901), a critical estimate of hn Trumbull and his work.

As has been pointed out his life resembled that of his teacherist father. Like him he was an inheritor of Renaissance breadth view and versatility. He painted portraits (twenty-three of hich are at Yale), figure pieces, genre scenes and landscapes e is usually grouped with the Hudson River School). He did o large bronze statues, those of Professor Benjamin Silliman

(1884) and President Theodore Dwight Woolsey (1895), as well as portrait medallions (1906) for "Forest Hall," Milford, Pennsylvania, for Gifford Pinchot of the U.S. Forestry Service. He designed the Bennett Memorial Fountain on the New Haven Green (1907), basing it upon the general proportions of the choragic trophy of Lysicrates in Athens—an adaptation and not a copy. He also did the plans and elevations for the extension of the Art Building (1910–1911), following the original designs of Peter B. Wight of forty-five years before. Weir was not only the studio teacher but a formal lecturer on aesthetic principles and art history.[39]

Weir's championing the purchase of the Jarves Collection (1871) will long be remembered, though his interest in American Colonial art and crafts—in a mid-Victorian era—has been forgotten. As a teacher he still lives in the hearts and minds of the taught. During his forty-four years as Director of the School he reported he had 8,058 students, of whom 258 had received Certificates and 26 the Bachelor of Fine Arts degree (instituted in 1891).

At the Commencement exercises in June 1913 Weir made his retiring address. He was tall and thin; his military bearing must have resembled that of Colonel Trumbull. The venerable old gentleman was in his seventy-second year. He had an abundance of white hair and wore a mustache and goatee, which, too, were white. He summed up his ideas by stating: "We must not mistake novelty, eccentricity, for originality in art:—the system of technical instruction . . . should always remain 'academic,' that is, based on methods in line with the great traditions of art, with standards of training and discipline tested by the experience of the past, yet alive to the present . . . for art is not newly arrived in the world. . . ."

[39] In this connection, and especially in this age of specialization, it is well to recall the similar versatility of one of Weir's predecessors: Colonel Trumbull, it will be recalled, was a painter, cartographer, medalist, amateur architect, author—and an occasional lecturer on art. His talks to undergraduates, in the autumn of 1839, were the earliest "art history" lectures given at Yale and possibly in the country.

BOOK REVIEWS AND NOTICES

rand into the Wilderness. By PERRY MILLER. (Cambridge, Mass.: The Belknap Press of Harvard University Press, 1956. xi + 244 pages, ndex. $4. 75.)

Reviewed by EMIL OBERHOLZER, JR., *Lecturer in Social Studies, The City College, New York.*

Readers familiar with Mr. Miller's earlier writings will not be surprised the author's irreverence for the tradition which has identified the ssachusetts colonists with the advent of religious liberty, nor will they shocked by his ruthless iconoclasm in the interests of truth. This ume, consisting of ten papers originally read or published between 31 and 1953, measures up to the author's earlier high standards of olarship.

Convinced of the absolute validity of their position, the Bay Puritans ght to establish a model Bible commonwealth: this was their "errand," sing from their covenant with God. How their concept of the errand nged, how their progeny came to be the bewildered introverts de- ted in the Puritan literature after 1660, and how they came to share Deuteronomist's interpretation of history, these are the subjects dis- ssed in the provocative first chapter, which gives its title to the book. e nature and impact of the covenant theology are discussed in Mr. ller's important paper of 1935, "The Marrow of Puritan Divinity," er which he traces the interplay of reason and emotion from Edwards ho emerges as a precursor of Kierkegaard), through the Unitarian ction to Edwardian Calvinism, to the Transcendental revolt against frigid rationalism of the Unitarians. Throughout this part, the author es a persistent theme: "the Puritan's effort to confront, face to face, image of a blinding divinity in the physical universe." The conclud- chapters have to do with "Nature and the National Ego" in the age manifest destiny and with eschatological thought. It is a long way m Wigglesworth to the *United States Bombing Survey*, from apoca- otic fancies to the danger of a humanly contrived end, but the author ries the story down to our own day, to Hiroshima. The end of the pter is pregnant, and the author asks: "Can engines, comets, or bombs ch the nations to sing the *Dies Irae*?"

Mr. Miller is a master of the art of prose writing. This book once more plays his gift for stating theological problems in earthy language, but pily there is nothing in this volume which compares with the crassness h which he described the Trinity in an earlier work. Some passages, ong them a brilliant metaphorical description of Unitarianism, are celess. The author's own commentaries on his writings, preceding the eral chapters, are well worth reading. Where footnotes do appear,

they are conveniently located at the bottom of the page; unfortunately the author did not provide the documentation for the six articles which originally appeared without footnotes. A few minor typographical errors notwithstanding, the publishers are to be congratulated on so fine a book. The admirable margins will prove a temptation to stimulated readers, of whom, it is to be hoped, there will be many.

Delinquent Saints: Disciplinary Action in the Early Congregational Churches of Massachusetts. By Emil Oberholzer, Jr. (New York: Columbia University Press [Columbia Studies in the Social Sciences, No. 590], 1956. x + 379 pages, with appendix, notes, bibliography, index. $6.00.)

Reviewed by Professor Ola Elizabeth Winslow, *Wellesley College, Mass.*

This book presents an exhibit of disciplinary action in the Congregational churches of Massachusetts from the earliest times to about 1830. All extant church records available to the author have been examined, typical cases of discipline classified and reduced to statistical tables. Sins of omission include absence from Sunday preaching or the ordinance of the Lord's Supper, and failure to present the newborn for baptism. Sins of commission include working on Sunday, reviling the minister, entertaining false doctrine, "consorting with the devil," and most numerous of all, missteps concerning domestic, marital or extra-marital relations, drunkenness, bearing false witness, and thievery.

Nearly every Massachusetts parish had its hardy perennials in one or all of these misdemeanors, and year by year weeks of pastoral and congregational time went into hearing of charges against erring members. Finality for each case came either through public confession which cancelled the penalty, or failure to confess which foreordained it. In the thought of both pastor and people reinstatement of the offender was worth all it cost, both in their own time and in the humiliation of the culprit, nor was the door ever closed against his return, no matter how belated his "humbling." Eternal salvation was at stake.

In reporting selected "cases" over nearly two centuries, Mr. Oberholzer supplies enough local detail for individual samples of "disorderly walking" to take on a painful reality in the village world to which they belong. Wisely also he makes clear that the warrant for such stern action lay in the concept of church membership, its privileges and responsibilities, as currently understood. The results of his investigation, although neither new nor surprising, throw a strong light on one side of village life in colonial New England—the negative side.

Obviously such persistent emphasis on human error does injustice to the communion of saints viewed as a total picture. In these same parishes were hundreds of men and women who were not "delinquent," but who lived out their span of Sundays and week-days in strict fidelity to their

enant vows. We miss them in this one-sided picture. The story of eliction also loses something by their absence. Pastoral kindness with enders and neighborly charity up and down the long village street co- ted in Scriptural proportions side by side with the record of votes penalties in the Church Book. A society cannot be torn apart and its od and evil placed in separate compartments without serious damage the whole. Statistical tables especially are too stark for a completely thful impression.

t is only fair to add, however, that as one's thought stretches forward m this early chapter to the time when rigidity of church practice and olicity of censure for offenders began to be challenged by both ac- ser and accused, this report of *delinquency* takes a key position in the ger story. Increasing respect for the individual in a free society was und to come, and by 1830 hopeful signs were apparent on all sides. rlier harshness had hastened its arrival. But that is not the story Mr. erholzer set out to tell. Within the strict limits of his intent, he has esented a wealth of useful data, rich in human interest and in historical ue for its own sake. One hopes it may also invite to a broader study.

illiam Penn: A Biography. By CATHERINE OWENS PEARE. (Philadelphia & New York: J. B. Lippincott Company, 1957. 448 pages., biblio., index, frontis. $6.00.)

Reviewed by NICHOLAS B. WAINWRIGHT, *Research Librarian and Editor, The Historical Society of Pennsylvania.*

Miss Peare's book is entitled *William Penn: A Biography*. The reader eds no advanced degree to realize that here is a biography of the great aker. The title and the concept of the book are refreshingly simple in day when many books of biographical intent and content somehow or her fail to be biographies. In an almost frightened way such books hold t the promise of biography by giving the subject's name in their titles, d then they immediately hedge by bracketing a great theme with his me. No matter how well known the man, no matter how often and ly his life has already been told, the theme, often the brain child of itor or publisher, follows his name. This book might have been called *illiam Penn, Colony Builder* had Miss Peare fallen under the prevailing ographical spell.

The ambivalent position of an author forced to join biography ("the ritten history of a person's life," according to Webster) with the cor- lation of the life and great themes often produces arbitrary techniques. eling that he has an "argument" to sustain, the author deliberately em- asizes certain aspects of a man's life and neglects others. This treatment arbitrary because subjects given lesser attention may actually have been greater importance to the man described than those features of his e which brought him historical prominence. In any event, a distorted, sjointed life is apt to be produced by the author's efforts to justify his

subtitle. The story of the man emerges unevenly and a humanizing quality is often lacking.

Fortunately for those interested in William Penn, Miss Peare views him as a man and not as a phenomenon to be recorded within restricted limits of historical relativism. In prose that is generally lucid and pleasing, and occasionally striking, she presents a well-researched, accurate account. There is every reason to believe her publisher's statement that this is "the first complete present-day biography of a real, human Penn." It is a dignified narrative, told in a manner that should make for popular reading, not academic yet not unlearned, and fully authenticated by footnotes unobtrusively placed at the back of the volume.

The soul of biography is interpretation; no two people would write a life in exactly the same way. Inevitably, some subjects seem to be of greater interest to Miss Peare than other subjects equally deserving, and this despite her impartial zeal to tell the full story without undue emphasis on the great moments. The desirability of setting forth so much material on George Fox and the early Quaker movement might be questioned. But then Miss Peare is at her best in describing Penn's conversion, his ministerial responsibilities and religious writings, particularly his *No Cross, No Crown*. By the time one reads his instructions to his leaders in Pennsylvania—"Whatever you do, let virtue be cherished"—one knows Penn well enough to realize that these words are not idle cant.

In some respects this is a woman's book. About as much space is devoted to Penn's courtship and marriage to his second wife as to his second visit to Pennsylvania. Domestic matters are handled at considerable length and with much sympathy. If this aspect is relatively overemphasized, the personal side of Penn, his love for family and friends, is well revealed.

According to Thomas Story, Penn was endowed "with the glory and dignity of the Lord." These attributes sustained him in the major trials of his life and, no doubt, were responsible for all that he did of importance, for all that he represented. On the other hand, these attributes may have been responsible in part for some of his disasters. In matters of principle Penn was triumphantly correct, but in tactical matters he was too often shipwrecked on shoals a more practical mariner would have avoided. Often a martyr to his faith in God, he was not infrequently a martyr to misplaced faith in man. Marked by seeming contradictions, which will always challenge the interpretive powers of those who examine the record, Penn's life was a poignant one of extraordinary interest.

Miss Peare has produced an admirable biography of the Founder of Pennsylvania. Hers is a book which I believe will live a longer life of usefulness than had she pasted a label after Penn's name and devoted her attention to the sounding cymbals and neglected the tinkling brasses.

onists from Scotland: Emigration to North America, 1707–1783. By AN CHARLES CARGILL GRAHAM. (Ithaca, N. Y.: Cornell University Press, for the American Historical Association, 1956. x + 213 pages, iblio., index, map. $4.50.)

Reviewed by WILLIAM A. HUNTER, *Associate Historian, Pennsylvania Historical and Museum Commission.*

This commendably compact volume reports on a group of immigrants o for a time constituted an influential minority in the American colo-s. In 183 pages of text, unpadded with illustration or anecdote, the hor examines the causes of Scottish emigration, the character and mber of the migrants, and the part they played in their adopted home-d. The question of number receives special attention in a four-page pendix; Mr. Graham concludes that in the period 1768–1775 there ne to America some 20,000 Scots settlers, one fourth of whom went to rth Carolina.

As summarized on pages 180–181, the causes for migration do not m very distinctive: "poverty, overpopulation, rising rents, social djustment in the Highlands, and the increasing facilities for transpor-on to America that arose after the Union of the Parliaments [of Eng-d and Scotland] in 1707." In discussion the distinctive details come out re clearly. Nevertheless, the author believes that the uprisings of 1715 1745 and the Highland clearances have been exaggerated as contrib-ry causes during the period with which he deals.

n general, these settlers went to colonies which offered large land nts. They settled especially in North Carolina, Virginia, and New rk; a Scots faction was conspicuous in East New Jersey politics. ghlanders, set apart by language and by a background of more primi-e economy, tended to form compact agricultural settlements, notably e in the Cape Fear Valley of North Carolina; and some Lowlanders ght to establish colonies of their countrymen. For careers, Scotsmen ned most conspicuously to politics, trade, medicine, and military ser-e. In the period 1707–1783, says Graham, not fewer than thirty gover-rs and lieutenant governors of American colonies were Scotsmen. ccess did not endear them to their fellow colonists; Yankees proud of ir faculty for getting ahead found the trait less admirable in their mpetitors, and the Scots earned the reputation of being clannish and shing. Trade, military service, and appointive position created ties, engthened, Mr. Graham feels, by a strong sense of loyalties, which the uggle for American independence could not break; and with their valist role in the Revolution, the period of greatest Scottish influence ded. After this war, it is true, even larger numbers of Scots came to nerica, from the impoverished Highlands during the nineteenth cen-ry, from the industrial Lowlands in the depression of the twentieth;

but these came too late to exert any great influence as a distinctive group.

In passing, the author comments on the unreality of crediting Presbyterianism with any major role in achieving American independence. The writers who identify Presbyterianism with Independence, he observes, generally confuse the Scots with the related but distinct Scotch-Irish. In Scotland, but not elsewhere, Presbyterianism was the Established Church; Mr. Graham might have emphasized the contrast between the authoritarian Presbyterianism of the Scots and the nonconformist tradition of the Scotch-Irish.

The volume is furnished with a frontispiece map of Scotland, somewhat elementary in its coverage, an extensive bibliography (16 pages), and a brief index (7 pages). The text is well printed, with notes at the foot of pages for quick reference. Misprints are rare, though one may suppose that Colden's immigrants of 1773 (page 83) arrived earlier *that* (not *than*) summer. The boldly executed dust cover contrasts sharply with the subdued binding, whose silver lettering on gray cloth is not remarkably legible.

The Trial of John Peter Zenger. By VINCENT BURANELLI (New York: New York University Press, 1957. viii + 152 pages, biblio., index, $3.75.)

Reviewed by RICHARD B. MORRIS, *Professor of History, Columbia University.*

Mr. Buranelli has provided us with a new edition of the Zenger Trial, prefaced by lively introductory comments and supported by some helpful documentation. Since the record is not too extensive, as trials go, it is a pity that he has not given it to us in full, but has summarized certain portions, choosing to exclude "mainly the technicalities of the law," on the ground that "the long quotations from dusty legal tomes, the appeal to long-past precedents, can be of little interest to any except those trained in the law." Hence, those who might consider the legal arguments germane to an understanding of the issues upon which the case turned will still find it necessary to consult the complete text as reproduced by Rutherfurd and Mott.

Mr. Buranelli gives to James Alexander a central position in the trial, but he has not cleared up for us just which portions of Zenger's controversial articles were written by Alexander and which came from the pens of Lewis Morris and William Smith. The editor's treatment of Governor Cosby as a deep-dyed villain is in accord with accepted tradition. It would never be suspected by the reader that Cosby's investigation of land titles granted to certain prominent patentees by previous administrations may well have been in the public interest, as there had been more than a suspicion of fraud and collusion in some of these deals. If the so-called "popular" party was trying to cover up a scandal, the editor seems unaware of that possibility.

Finally, it is hardly correct to speak of the Zenger trial as "a legal prec-ent." Despite its enormous impact on public opinion, the Zenger Case led to gain ready acceptance as a binding legal precedent either in New rk or in Great Britain. The issue remained unsettled in England until x's Libel Act in 1792. In New York it remained unsettled until Alex-der Hamilton evolved the formula supporting "the liberty of publish-truth, with good motives and for justifiable ends, even though it lects on government, magistrates, or private persons," a formula which s incorporated in the revised libel bill passed by the legislature in 1805. In short, Mr. Buranelli has given us a handy and helpful edition, but by means a definitive one.

nes Logan and the Culture of Provincial America. By FREDERICK B. TOLLES. [*The Library of American Biography*. Edited by Oscar Handlin.] (Boston: Little, Brown and Co., 1957. x + 228 pages, biblio. note, index. $3.50.)

Reviewed by BROOKE HINDLE, *Department of History, New York University.*

This is a beautifully written and sensitive biography of a man who has ng suffered from the lack of any satisfactory interpretation. Sympa-etic within the bounds permitted to the good historian, Mr. Tolles ites with deep understanding of James Logan and of his times. The der's strongest regret will be that he was hobbled by the necessity of esenting so short an account: the subject deserves a full-size portrait d the author deserves a full-size canvas.

Although held to a short book, Mr. Tolles still succeeds in presenting ully rounded view of his subject. Most of Logan's life was devoted to litics and to business and most of the book properly concerns his ac-ity in these fields. His rise is sketched from the level of a poor but well-ucated son of a persecuted Scottish schoolmaster to the rank of a ealthy merchant and a Pennsylvania politician whose influence was metimes the most important force in the province. Not all of the com-exities of Pennsylvania politics or of the Indian trade are detailed but e author has a capacity to cut through involved situations and faith-ly to present the essentials. Logan's personality emerges clearly. His ions and his successes always appear believable. This alone represents e attainment of the highest goal a biographer can have.

The book has a further value as an interpretation of Penn's Holy Ex-riment and of the society it produced. It adds more information about problem Mr. Tolles has considered previously—the problem of the aker trying to live in the world and yet apart from it. Logan, he ad-ts, was not the best of Quakers, but if he strayed from the strict aker dogma, his compromises with expediency generally contributed the success of the experiment.

For "the Culture of Provincial America," Logan is not the best symbol.

Intellectually, he grew despite his environment; he remained a part of Europe. He made creative contributions of his own and he helped others to make them—notably Franklin, Bartram, and Godfrey, but he more often opposed than aided their efforts to lay permanent foundations for cultural development in America. Mr. Tolles mentions most of Logan's contributions to the building of a favorable environment and some of his opposition, but he fails to mention his decisive refusals to aid one project of Cadwallader Colden and another of Benjamin Franklin. Moreover, although his library was a remarkable collection which he passed on for the use of future generations, it was a bibliophile's assemblage of rare editions in the learned languages which most of his neighbors could not even read. It had only the barest fraction of the influence on American culture that the English collections assembled by Franklin's friends in the Library Company of Philadelphia had.

Logan was an aristocrat—in learning as in politics. His distaste for shabby and uninformed thinking strikes a more responsive note today than his scorn for politicians who pandered to the popular will. Still, in both spheres, he stood somewhat aside from the main line of American development and achievement.

The Cultural Life of the American Colonies, 1607–1763. By Louis B. Wright. [*The New American Nation Series.* Edited by Henry Steele Commager and Richard B. Morris.] (New York: Harper and Brothers, 1957. xiv + 292 pages, biblio., index, illus. $5.00.)

Reviewed by Brooke Hindle, *Department of History, New York University.*

In this book, the editors of the New American Nation Series present the first of their cultural volumes which will span, chronologically, the whole American experience. It is fortunate that so well-informed and urbane an author has inaugurated this series of books, for his task was more difficult than that of any who will deal with succeeding periods. He has had to consider over 150 years of development during which the colonies changed their cultural complexion altogther. There were several different colonial cultures, separated in time and in space, and yet Mr. Wright has had to place them all in topical chapters which generally move from colony to colony but less clearly from age to age. In this setting, it is very hard to draw full characterizations of the culture of any particular time and place.

Despite these limitations of form, Mr. Wright manages to compress a remarkable number of facts into a relatively brief book without ever permitting his narrative to lose interest or sparkle. He conveys an acceptable and genuine impression of colonial culture and some of his own enthusiasm for the period. He is keenly conscious of the European matrix from which colonial patterns were taken and he discusses the assimilation of the non-English cultures very effectively.

He even succeeds in introducing some provocative ideas about Ameri-

n culture. Beginning with his own investigations of tidewater Virgin- Mr. Wright accepts a basically aristocratic interpretation of colonial lture by pointing out the similarities between the merchant aristocracy the northern colonies and the planting aristocracy of the southern lonies. In sketching this viewpoint, he does not at all neglect the cul- ral contributions of the artisans and professional men. Still, the role of e urban milieu in stimulating creative cultural activity is certainly not eremphasized and some readers may feel that the middle colony region especially Philadelphia– suffers in the discussion. A part of this result is e effect of describing the whole culture: the dissemination of knowl- lge and the quality of taste as well as the creative contributions. More gnificantly, it follows from the fact that the flowering of Philadelphia me very late in the colonial period and that, chronologically, the cul- re of the Enlightenment was only a small part of the colonial story. uite properly then, Virginia and New England bulk large in this book. Mr. Wright's achievement is very considerable. His book is of im- ediate value in the synthesis it presents and it will be of continuing lue for reference and guidance, both in its text and in its extensive bliography.

assau Hall 1756–1956. Edited for the [Bicentennial] Committee by Henry Lyttleton Savage, Archivist in the Library of Princeton University. (Princeton, N. J.: Princeton University Store, 1956. ix + 187 pages, 16 plates, biblio., index. $3.75.)

Reviewed by M. Halsey Thomas, *Curator of Columbiana, Columbia University.*

Constructed in 1754–1756 by the side of one of the most-travelled ads in the colonies, the ancient highroad from New York to Philadel- ia, Nassau Hall has witnessed more American history than any other llege building. From the quiet days of Jonathan Edwards through the evolution, when one battle was fought outside its very doors, and the onths in 1783 when it housed the Continental Congress, right up to the y Woodrow Wilson, defeated in a college row, resigned and walked t, taking a path that led straight to the White House, Old Nassau has ntinually been the scene of historic events. From James Madison to dlai Stevenson, scores of distinguished Americans have been educated ere, and celebrities without number, beginning with Washington, have en visitors. The loyalties of generations of Princeton men have been cused on this beloved and shabby old building.

In September last, Princeton University observed the bicentennial of e opening of Nassau Hall and the establishment of the College of New rsey in that edifice following a ten-year sojourn at Elizabeth Town and ew Ark. The U.S. Government coöperated by issuing a commemo- tive stamp, and the university press printed the handsome volume der review.

Professor Paul Norton of Pennsylvania State College has contributed articles on Nassau Hall and the President's House, constructed at the same time from plans by Robert Smith, and on the restoration of the college building by Benjamin Henry Latrobe after the fire of 1802. Professor Robert C. Smith of the Univerity of Pennsylvania writes of John Notman and his addition of Italian Renaissance features to the building following the destruction of the interior in the fire of 1855. Mr. J. A. C. Weller contributes a chapter on the Battle of Princeton and the bombardment of the British in Nassau Hall by Alexander Hamilton's battery of artillery on 3 January 1777. Professor T. J. Wertenbaker writes of the historic events of two centuries in the building, and Nathaniel Burt has a long chapter on student life through two centuries, which will astonish those whose acquaintance is limited to the young gentlemen who now inhabit American colleges. Professor Henry Lyttleton Savage concludes the volume with an iconography of Nassau Hall and the President's House through 1867, and an account of the bells of Nassau Hall. The book is beautifully illustrated and adequately indexed, and has the excellence of design and format unfailingly provided by P. J. Conkwright.

Jonathan Trumbull, Connecticut's Merchant Magistrate (1710–1785). By Glenn Weaver. (Hartford: Connecticut Historical Society, 1956. 182 pages, biblio. note, index, illus. $4.00.)

Reviewed by Philip L. White, *Department of History, University of Texas.*

Jonathan Trumbull is known to history primarily as the Revolutionary governor of Connecticut. In that office, attained after more than thirty years of service in the legislature and in lesser administrative posts, Trumbull worked effectively to provide supplies for Washington's forces. His son, Joseph, did similar work as Commissary General of the northern armies until his death in 1778. This book is primarily a study of the business activities in which Trumbull engaged and to which he introduced Joseph, Jonathan, Jr., and a third son, David, in the generation before the Revolution. Another son, John, having served for a time as aide-de-camp to Washington and then as deputy adjutant-general of the Northern Department of the Continental Army, attained a reputation as a painter of patriotic scenes.

In its earlier phases (about 1730) Trumbull's business was fairly primitive. His father had driven cattle to Boston, traded them for dry goods which he then took back to sell in his home area of Lebanon, Connecticut. Trumbull himself sent provisions of various kinds, including cattle on the hoof, to Boston where they were exchanged for British goods to be sold at retail in Lebanon or distributed to stores in neighboring towns. By the late 1740s Trumbull and two partners very largely controlled the provision business in the portion of Connecticut eastward from the Connecticut River.

Despite the handicap of a landlocked location (Lebanon was 15 miles

and from the port town of Norwich) Trumbull began then to develop overseas trade. He exchanged provisions for whale oil at Nantucket d then shipped that valuable commodity to London to pay for purses of British goods. He obtained some quantities of British goods also Halifax by sending provisions to Joshua Mauger, a Navy supply conctor and importer of British goods. In 1754, however, Mauger began secure most of his provisions from Ireland and ceased importing dry ods. Trumbull then became almost entirely reliant upon London for supply of British goods, but he could never obtain sufficient quantis of acceptable commodities with which to pay for all of his imports. rthermore, he seems to have sold great quantities of British goods on edit to people who never paid him. Consequently by 1767 he was bankpt. The story of his business activity for the remaining portion of his e concerns efforts to pay off or stall off creditors. He was much more ccessful in the latter endeavor. At his death in 1785 Trumbull's debts ceeded his assets by some £7,000.

The account of Trumbull's career as Weaver has presented it poses ne interesting questions for students of business history. The degree which Trumbull controlled the provisions trade of eastern Connecti- t makes one wonder how he gained such predominance in a field in hich there would presumably have been considerable competition. It nfortunate that more information on this point was not available. The count of Trumbull's overseas trade raises other questions. How could have expected to carry on such a trade with profit from a small landcked community? How many other inland provisions magnates were ere in colonial America? Did other such merchants attempt to carry on erseas trade in competition with the merchants of major port cities d if so did they make out any better than Trumbull?

dmund Burke, New York Agent, with His Letters to the New York Assembly and Correspondence with Charles O'Hara, 1761–1776. By Ross J. S. Hoffman. [Memoirs of the American Philosophical Society. v. 41] (Philadelphia: American Philosophical Society, 1956. ix + 632 pages, including references, index, illus. $6.50.)

Reviewed by E. Marie Becker, *Reference Librarian.*

The realization that liberty and democracy can be seriously challenged ay help to account for the increasing number of monumental publicaons on those 18th-century leaders who made possible the survival of ese two social concepts when they were young. Like many of his merican contemporaries, Edmund Burke is destined to come into his vn when the complete edition of his correspondence is published by the icago University Press in conjunction with the Cambridge University ess in England. Anticipating this definitive work, Professor Hoffman akes available in *Edmund Burke, New York Agent*—two bodies of corspondence of great value. The first, prefaced by a essay on the man and

the office he held, consists of the more formal letters Burke wrote as agent of the New York Assembly, 1771–1775. The second consists of the more intimate correspondence between Burke and his circle of relatives and friends and their mutual friend, Charles O'Hara, Irish M.P. and landowner, 1761–1776. Most of this correspondence was first made public in 1949, when papers of Burke, O'Hara, the Marquis of Rockingham and the fourth Earl Fitzwilliam were transferred to the Sheffield Central Library. Interest in this country, in New York State especially, is more likely to center on the first, albeit smaller, section of the volume, as it stresses American history and politics more than those of the United Kingdom, the reverse being true in the second section.

Professor Hoffman quite properly limits his interpretation of Burke to the rôle he played as New York's agent, the present edition of his letters being insufficient to warrant an interpretation of Burke's true position in the political field. Nevertheless, because in *Burke's Politics* (1949) Professors Hoffman and Paul Levack asked the public to accept Burke as an ideal prototype for leadership today, it is interesting to note what contribution the present volume makes to this thesis. What does it reveal of Burke's character and politics?—two subjects on which Professor Hoffman, through the strength of his research, has become a specialist.

Before Burke became the agent of the New York Assembly in 1771, we find him outgrowing the rôle of opportunistic adventurer to become private secretary to Rockingham. When that nobleman came to power, 1765–1766, Burke favored the two principal measures passed by his administration: (1) the repeal of the Stamp Act although prefaced by the Declaratory Act claiming Parliamentary supremacy "in all cases whatsoever," and (2) the North American Trade Act of 1766, although it contained the germ of the Townshend Act. Both acts proved to be objectionable to New Yorkers. Before he was made agent, as Professor Hoffman acknowledges, Burke had defended American views or interests only when politically expedient. Also, by the Declaratory Act, Burke and the Rockingham Whigs insisted upon Parliamentary authority to lay what taxes it pleased on America. In so doing, they alienated Chatham, the idol of America, and produced the feud which split the Whig party when the hope for American reconciliation depended upon its united efforts.

As agent, Burke was partial to the conservative Delancey-mercantile-Church faction as distinguished from the popular Livingston-lawyer-dissenter faction in New York. The former controlled an assembly that was rapidly moving to the right while the populace was moving left.

No serious difficulties arising between New York and the mother country from 1771 to 1774, we find in the whole of Burke's correspondence before the latter date but one reference to the ominous happenings in America. We also find Burke asking a favor on behalf of the speaker of the New York Assembly, John Cruger. It was to this favor that Burke owed his success when, in 1774, he stood for the Bristol seat in Parliament

political alliance with Cruger's nephew, Henry Cruger, Jr. This alli-
ce proved to be one of expediency, Burke coming to regard Cruger
a doctrinaire radical and Cruger to regard Burke as crafty and selfish,
th little regard for New York interests.

Before the Imperial crisis of 1774–1775 Burke had found it easy to
rmonize the duties of his two offices. Thereafter it was a different story
d Burke then made it plain to his employers that his duties as parlia-
entarian must take precedence over those of the agency. This crisis,
hich led to war, reveals at once the measure of Burke's growth as a
tesman and the tragedy of the American Revolution from the con-
vative point of view. Although in his speech on American Taxation,
pril 19, 1774, Burke opposed the tax on tea, he still defended the Declar-
ory Act on constitutional grounds. He also wrote his employers at this
ne advising them that the Rockingham Whigs had no thought of giving
the constitutional superiority of Great Britain. Burke thereby proved
still rejected the views of Chatham and Benjamin Franklin that Parlia-
ent had no *right* to tax the Colonies but should continue the ancient
rm of requisitions when contributions for imperial defense were
eded. Notwithstanding this, Professor Hoffman discerns in Burke's
axation speech an attempt to introduce the idea of conciliation in the
perial crisis, defending Parliament's right to tax the Colonies but with
e reservation that that right should be used only as an emergency mea-
re—not as an ordinary means of supply. In other words, the gap be-
veen the two great branches of the Whig party was narrowing down
denying the authority of Parliament on the one hand and retaining it
used on the other.

By the time he made his famous speech on *Conciliation with the Col-
nies*, March 22, 1775, we find evidence of Burke's willingness to soft-
dal if not to surrender the principle he had so rigidly insisted upon.
this speech, Burke neither inveighs against the ministry nor offends
hatham by defending the Declaratory Act. Its non-partisan character
as apparently appreciated by Chatham who praised the speech. Be-
veen April 1774 and March 1775, therefore, Burke seemed to be moving,
Professor Hoffman indicates, from the old Rockingham Whig con-
ption of the problem (as one of "management"—*i. e.*, of cultivating
merican friendship through prudent Parliamentary conduct, while
sisting upon the principle of the Declaratory Act) to the conception
conciliation—of preserving a union rather than insisting upon a superi-
ity.

Whether Burke's advance from the old to the new method of meeting
e Imperial crisis represents an absolute change in concept and policy, as
ofessor Hoffman seems to believe, or merely a change in emphasis, the
ct remains it came too late. Three days after Burke's speech on *Conciliа-
on* the addresses of the New York Assembly to Crown and Parliament
ndemned the Declaratory Act. When in the following July, the
Declaration . . . setting forth the Causes and Necessity of Taking up

Arms" of the second Continental Congress also condemned that ill-fated act, Professor Hoffman concedes: "Nothing now could have been plainer than that the fundamental American grievance was the principle of the Declaratory Act of 1766. . . . If the Rockinghams had once been right in contending that this act was not an American grievance, they could no longer maintain that position. If Lord Chatham's view had not been correct in the past, events had made it correct in 1775, and the old Rockingham-Burke prescriptions for the 'management' of America had been rendered obsolete."

Whether the former view of the Rockingham Whigs or that of Chatham on the Declaratory Act had been the correct one is, of course, a debatable question. Be that as it may, one wonders what might have happened had the Declaratory Act never been sponsored by the Rockingham Whigs or had Burke earlier conceived the idea of conciliation and been willing to put it into practice before it was too late.

What is Professor Hoffman's estimate of Burke as agent of the New York Assembly? In view of the fact that in 1949 Professors Hoffman and Levack failed to come to grips with the objection that Burke's liberalism was an expedient of party advantage rather than a weapon for humanitarian purposes, it is interesting to note that Professor Hoffman now can state: "Throughout the period of his service to New York the key to his conduct in all American questions confronting Great Britain is to be found in the principles and exigencies of his party, not in the demands of the agency office, and when the great crisis came, his conduct as agent was limited and controlled by his higher duty as a member of Parliament. . . ."

Burke regarded himself as an agent whose duty was simply to present and explain the grievances of his New York employers. He did not regard those employers as constituents whose grievances he should champion against the authority of the Empire. If the New York Assembly had really understood Burke, Professor Hoffman believes, they might never have engaged him as their agent.

Professor Hoffman is to be congratulated for making accessible to scholars so much new material on Burke as well as for the significant contribution he has made to our knowledge of this intensely interesting period.

The American Revolution, 1763–1783. By Eric Robson. (New York: Oxford University Press, 1955. ix + 254 pages, biblio., index. $2.90.)

Reviewed by Philip L. White, *Department of History, University of Texas.*

In this posthumous volume a young British scholar has probed thoughtfully into several basic questions about the American Revolution. Why did it take place? Why did Britain lose and America win? What were the long-run results of the conflict? On each of these and on other questions Robson has provided interesting, pro-British, but not always convincing interpretations.

Why did the Revolution take place? Robson spent considerable effort make very clear that it can no longer be blamed upon the tyranny of orge III. This may disappoint some Irish-American patriots, but it nes as no shock to the historical profession. Somewhat less persuasively bson defends Britain's conduct by arguing that the nature of the tish constitution at that time (the King's participatoin in administra- n and the absence of responsible party government) precluded estab- ment of an imperial system under which the Colonies would be ind, not by allegiance to Parliament, but only by allegiance to the own. On the contrary, it seems to the reviewer, the paucity of acts of liament applicable to the Colonies and their widespread evasion prior 1760 meant that such a system had actually been in effect in greater or degree in each of the Colonies. Why Parliament *could* not have malized in self-denying legislation what had actually existed, even ough it involved virtual independence, Robson has failed to nonstrate.

He is more convincing when he emphasizes the resentment caused by guided policies which denied to American men of wealth the social ognition they desired and the right to make money in ways to which y had become accustomed. Emphasis upon economic motives is no ger fashionable or even quite patriotic, but the reviewer regards as the st perceptive insight in Robson's work the importance which he aches to American resentment of British efforts to enforce upon a turing economy regulatory policies designed for an area of primitive ntations. This is not to suggest that economic motives were pre- minant. On the contrary, as Robson recognizes, the basic motivation the American Revolution was the desire to establish immunity from tish control. That immunity involved factors of religious, socio- chological and purely political importance as well as economic vantages.

In explanation of British defeat Robson develops arguments to under- ne the thesis that it was attributable to the stupidity of British generals l governmental leaders. This is not an easy undertaking. One of his guments is that, given the extent of the country, the determination of *ne* Americans to resist, and the adaptability of the terrain to American thods of fighting, what the British were attempting was extremely ficult. One need not agree, however, that "only . . . men of military nius, backed by a decisive and imaginative government in London, uld have secured a British victory." Surely, too, at least the latter rtion of Robson's statement that "men of considerable talent . . . led in what was an impossible task" involves exaggeration. The thor's position is strongest when he argues that the political isolation of itain following her victory in the Seven Years' War was the funda- ntal cause of defeat, the reason for abandoning the conflict after rktown. One could argue on the other hand, however, that had the rgoyne campaign, among others, been properly handled victory might

have been achieved before Britain's European rivals intensified her feeling of isolation and diminished the prospect of success by actual or threatened intervention.

In discussing the results of the conflict Robson restates some well-established ideas and asserts some others which are not likely to win acceptance. Few will deny that the American Revolution had some influence upon the later French and Latin-American outbreaks or that it helped prepare the way for political and economic reforms in 19th-century Britain. That World Wars I and II and recurrent economic crises should be blamed upon the cleavage in the English-speaking world which the American Revolution created seems, however, something less than the self-evident fact which Robson takes it to be. Nor can he be taken seriously when he argues that Revolution-born American suspicions of British imperialism were responsible for the Yalta policy which "gave" Russia control of central Europe. In the first place it was retreating Nazi armies, not Allied diplomacy, which gave Russia control of central Europe. Secondly, differences in British and American foreign policy had more substantial basis than the Chicago *Tribune* variety of anglophobia which Robson incredibly associates with Roosevelt foreign policy. Furthermore, it is doubtful that even the anglophobia of the late Colonel McCormick and his readers bore much relation to the American Revolution.

Despite such serious shortcomings this is a valuable book. Probably its greatest interest to the American reader stems from its British orientation. Robson used British sources extensively and presents what in many ways is a British-official's-eye view of the American Revolution. This perspective makes British policies seem considerably more rational than they do from the usual American standpoint.

Background to Glory: The Life of George Rogers Clark. By John Bakeless. (Philadelphia and New York: J. B. Lippincott Company, 1957. 386 pages, with notes, index, frontis. $6.00.)

Reviewed by James Thomas Flexner, *author of* The Traitor and the Spy, *etc.*

John Bakeless's lively and scholarly volume is more accurately described by its title than its subtitle. The book is in essence not biography but history; not a life of George Rogers Clark but an account of the fighting that took place during the Revolution in the wilderness that was to become Illinois, Indiana, and Kentucky.

The volume contains, it is true, a brief account of Clark's career before the outbreak of the conflict, and a slightly longer telling of his tragic experiences after the war closed, but these are, in effect, a prologue and an epilogue. The fifty-nine years of Clark's life when he was not leading Revolutionary armies are given only a third of the space devoted to the five years in which he was an active and successful soldier. If he is the

of the book, it is primarily as the commander in campaigns de-ed more for their own sake than for his.

uring thousands of words, Mr. Bakeless's presumptive protagonist shes from the text altogether while the author discusses military rers relevant to the theatre of war, but in which Clark played no part. the other hand, those aspects of Clark's activities which were not ctly relevant to the fighting are, if mentioned at all, passed over with peed. Thus the following sentence stands by itself to tantalize the er: "He was interested in their [the Indians'] life and history—indeed, ok a hundred years for American ethnology to catch up with his s on the Mound Builders." The confusion of aim that allowed this k to be presented as biography is to be regretted, for, as biography, it es much to be desired. As history, it is admirable.

Ir. Bakeless writes of the campaigns in the Old North West with quence, with humor, with insight, with authority. His own experi-e as a staff and intelligence officer in World Wars I and II gives him a h approach to wilderness warfare, since he refuses to draw any retical distinction between a modern general, maneuvering a mil-men on a European battlefield, and Major Clark, moving a few dred up a wilderness stream. The result may be a little far-fetched at es, but on the whole Mr. Bakeless makes his point—and that is, prob-, the most important general contribution of his book. Morale, as he nts out, is the same phenomenon whether you are discussing a few n or many; intelligence, whether communicated by moccasin tele-oh or electric telegraph, is all-important; and military governors must l with individual citizens, whether they come by the hundreds or dreds of thousands.

he smallness of Clark's operations enables Mr. Bakeless to describe n in a detail that would be impossible in dealing with a modern army, thus we have here a sort of a leafy test tube in which to examine the damental problems of command. The result is fascinating, and it gives rest to what might otherwise seem too exhaustive a presentation to be oyed by anyone except a specialist.

pecialists in the history of the Revolution will undoubtedly accept *kground to Glory* as an important source book. Almost anything one would want to know about the Revolutionary campaigns in the l North West can be found in Mr. Bakeless's interesting pages.

Chance for Glory. By Constance Wright. (New York: Henry Holt nd Company, 1957. 255 pages, illus., notes on sources. $3.95.)

Reviewed by David Loth, *author of* The People's General, the Personal Story of Lafayette.

Painters for the gallery of history have a regrettable tendency to rep-ent their heroes as monumental figures. Leaders of the French and nerican Revolutions have suffered especially from this treatment, none

more than the only man who played an eminent role in both, Lafayette. Now Constance Wright has restored him to life-like proportions by concentrating her attention on a single episode, the tragi-comic attempt to liberate "the hero of two worlds" from his Austrian dungeon.

Miss Wright has displayed a novelist's skill in weaving together the facts gathered by obviously painstaking and extensive research. She takes no novelist's liberties with those facts, however. The abortive rescue has been described many times, usually from Lafayette's point of view. Miss Wright illuminates the incident and the era by telling the story of Dr. Justus Erich Bollmann, the young German physician who undertook to arrange the hero's escape. The most absurd features of the worst fiction came true in this adventure, along with some real gallantry and ingenuity. There were letters written in lemon juice, elaborate deceptions of stupid officials, an imposing array of files and saws and ladders never used, and enlistment of the aid of an American youth, Francis Huger.

The plot was simple: the abduction of Lafayette from the guard who took him for an airing several times a week. Then Bollmann was to give his horse to Lafayette and ride with Huger, whose mount was trained to carry double. The scenario was played according to the script up to the point where Bollmann let his horse get away in the excitement of overpowering the guard so that Lafayette got the wrong horse. The escaping prisoner, galloping off without his guide, promptly lost his way and was speedily recaptured.

Miss Wright does more than present the details of this thriller. She portrays poor Bollmann skillfully and to the life. His charm and talents won him opportunities and friends. But he couldn't keep his head in an emergency, and all the rest of his life seems to be an explanation of why, so close to success in his greatest adventure, he bungled at the last minute.

It is a mark of this book's quality that one wishes it were a little longer, long enough to tell more of Bollmann's share in the Burr conspiracy or filibuster, his appearance at the Congress of Vienna, his missions for London bankers. But as it stands, it is an admirable re-creation of one of those episodes in history which, unimportant in themselves, so often reveal the true nature of the people involved.

Robert Oliver, Merchant of Baltimore, 1783–1819. By Stuart Weems Bruchey. [The Johns Hopkins University Studies in Historical and Political Science, Ser. LXXIV, No. 1] (Baltimore: The Johns Hopkins Press, 1956. 411 pages, frontis., appendices, bibliography, index. $5.00.)

Reviewed by Vincent P. Carosso, *Associate Professor of History, New York University.*

This is the detailed study of the business career of a successful Baltimore merchant operating at the end of a long era of commercial capitalism, just before the Industrial Revolution ushered in the age of specialization and a new system of business. Robert Oliver's career provides

ther example, to use the late Professor Gras's term, of a "mercantile talist" at work. In appraising Oliver's business experiences, Mr. chey also analyzes the Baltimore mercantile community in much the e way that Baxter and Hedges, for example, have done for late teenth- and early nineteenth-century Boston and Providence. ough no new generalizations or challenging hypotheses result from carefully prepared monograph, it is, nonetheless, an important case ory, the kind of study upon which the larger synthesis of early erican business will have to depend.

he author sets Oliver against the background of Baltimore's eco- ic development. The significance of the city's inland commerce to growth of its foreign trade is well documented and clearly set forth. ially useful are the concise summaries of such major business prob- s as coinage, banking, transportation, shipping, and marketing. The cialist will find ample detail on sales policy, investments, costs, profits, related questions.

obert Oliver came to America from northern Ireland with "little or money" in 1783. By 1815 he retired from foreign trade, having umulated a fortune sufficiently impressive to number him among the millionaires of the early Republic. His money, and to a considerable nt his social position too, derived from the profits earned from his mmercial exploits, especially after 1794 when the coffee carrying trade other mercantile enterprises arising out of the Napoleonic wars ved highly remunerative. He continued to engage in a few overseas tures after 1807, though his major concern was directed towards ns and securities" and internal improvements. Along with other ryland businessmen, he participated in securing the charter incor- ating the Baltimore and Ohio Railroad and then served on the road's rd of directors. Like many other great merchants of that day, Oliver ported the Federalists and dabbled in minor politics.

o reconstruct this story Mr. Bruchey employed the "exceptionally collection of [Oliver] business records" (most of which pertain to years 1796–1824), other relevant manuscript collections, standard ted sources, newspapers, periodicals, and many of the recent mono- phs. The documentation, conveniently placed at the bottom of the e, is impressive. A briefly annotated bibliography and an adequate ex increase the book's usefulness.

riotism on Parade: The Story of Veterans' and Hereditary Organiza- ions in America, 1783–1900. By WALLACE EVAN DAVIES. (Cambridge: Harvard University Press, 1955. xiv + 388 pages, biblio., index. $6.00.)

Reviewed by R. W. G. VAIL.

he Dames, Daughters, and Sons of our hereditary organizations are iliar figures in the libraries of our historical societies but the Veterans

are better known in the halls of our legislatures. Both types have excited a great deal of praise, blame, and ridicule but, with all their understandable pride of ancestry or of achievement, they have been and still are of real service to their country. Their hundreds of thousands of members in 28 hereditary and 34 veterans' organizations with nearly 70 current publications cannot be laughed off or ignored for they have done much to guide our thought and action and to preserve our national traditions. It is therefore fortunate that a competent historian has made a frank, just, witty, and unbiased appraisal of their activities.

This was not easy to do, for the two groups are very dissimilar in their makeup and in their aims. The hereditary societies are largely drawn from the better-educated, comfortably well-off old American stock east and south of the Potomac, while the Veterans come from the lower-income groups with varied national origins, spread throughout the nation with pride of personal achievement rather than pride in the achievements of their ancestors. It was therefore natural that the hereditary groups should be interested in preserving the monuments and traditions of the past as a patriotic guide to the future and that the veterans' groups should be concerned with the fight against present-day subversion and with the promotion of their own group interests through favorable legislation.

It would have been easy for Professor Davies to take sides and to use his scholarly wit to attack or ridicule the activities of one group or the other but he has fortunately preferred to set forth judiciously, albeit with a humorous glint in his eye, the historical facts as he found them, with emphasis on the benefits discovered rather than on the unfortunate mistakes which he found in reading the enormous literature of his subject. And he has done this with the historian's fairness and with due concern for the historical and social background of the period covered. Rather than let himself be irritated by the foibles of this or that group, he has examined his evidence with patience and understanding and has given us, with discernment and literary skill, a just and readable appraisal of the varied interests and worthwhile achievements of the two groups, both of which are primarily interested in the preservation and improvement of our ideals and our way of life during these precarious times.

America's First Hamlet. By Grace Overmyer. (New York: New York University Press, 1957. 439 pages, with notes, appendix, biblio., index, frontis. $6.50.)

Reviewed by Theresa A. Czajkowska.

The life of John Howard Payne (1791–1852), author of "Home, Sweet Home" and the subject of this biography, was marked throughout by ironic twists of fate which resulted in a misunderstanding of the man and his work. If he was unlucky in many respects, he is nevertheless posthumously fortunate in having attracted so capable a biographer as

ace Overmyer who now presents us with a masterly appreciation of neglected American actor-playwright-poet.

Payne made an early start in his field; he published a theatrical periodi- anonymously at the age of fourteen and, two years later, his first play s produced. He soon turned to acting, and for several years derived ne, if not fortune, on the American stage. Following a successful tour, embarked for an extended stay in Europe, chiefly in England, where impressed theatregoers with his talent, first as actor and director, and er as playwright. It was during this period that John Howard Payne rote the song for which he is best remembered, as a soprano solo in his eretta "Clari." Payne wrote, translated, or adapted a vast number of ys for the British and American stage, which proved immensely popu- and enriched managers, actors and producers but failed to compensate ir author adequately. He returned to New York in 1832, after a enty-year sojourn abroad, famous yet far from wealthy. His remain- years were spent on numerous projects in an effort to earn a living, d he ended his varied career as a diplomatic representative of the ited States in Tunis, where he died.

An interesting and important feature of this biography is Payne's con- uous contact with many men of literary, dramatic and historic inence, chief among them being Washington Irving. It was he who ed unsuccessfully to teach economy to the impractical Payne, at one ne resided and collaborated with him, and figured in the fascinating ry of Payne's attachment to Mary Shelley. The exchange of letters tween the playwright and members of his family reveals Payne's win- g personality, wit, and generous nature, as well as his extravagance d impracticality in business dealings. Involved accidentally in several tter antagonisms, Payne suffered humiliating assaults on his character, hich later served to detract from his memory. Miss Overmyer succeeds restoring him to full stature as a man of varied interests, wide experi- ce and diverse achievements. Possessed of a remarkably inventive nd, a deep sense of justice, and indefatigable industry, Payne pioneered many of the fields in which he labored: He introduced a periodical of eatrical news and criticism in New York City; was the first American tor to portray "Hamlet," in Boston, 1809; found acceptance as an nerican on the British stage; emphasized historic fidelity in the cos- ming and stage settings of plays he directed; and attempted to launch periodical of Anglo-American interest (and in the process, became volved in an earnest though futile defense of the Cherokee Indians of eorgia, then being relocated).

From a vast collection of manuscript material, much of it used for the st time, as well as from the published sources, Miss Overmyer has inted a realistic full-length portrait of Payne against the vivid back- ound of his time. By summaries and excerpts from his plays, letters, and ntemporary accounts of him and his work, she permits the reader the

use of his own judgment in estimating her subject. The book is further enhanced by scrupulously full notes, an appendix of "specimens of Payne's writing," and a splendid bibliography. Miss Overmyer has combined an easy-flowing style, a warm understanding and sympathetic portrayal of her subject, with an artistic arrangement of factual material, to weave a colorful narrative which should appeal to the casual reader as well as to the casual reader as well as to the scholar.

Bibliography of Texas, 1795–1845. By THOMAS W. STREETER. *Part II. Mexican Imprints Relating to Texas, 1803–1845.* (Cambridge: Harvard University Press, 1956. xxiv + 283 pages, index. $10.00.)

Reviewed by R. W. G. VAIL.

This is the second part and third volume of one of the greatest bibliographies ever published in this country and it is in every way a worthy companion to the volumes already issued.[1] The third and final part will cover the books on Texas published in the United States and Europe.

The second part of this most scholarly and useful work gives us a complete bibliographical description with elaborate annotations of the 377 known titles printed in Mexico and relating to Texas from 1803 to 1845 and records their locations in thirty public and two private collections. The extreme difficulty of compiling such a bibliography is evident from the fact that few of the titles exist in more than a half dozen copies, many of them are unique and not a few have completely disappeared though we have a record of their publication. We are not surprised that Dr. Streeter's collection is by far the best, containing 192 titles of which 76 are unique. The University of Texas Library has 138 with 33 unique, the Yale University Library 71 with 12 unique, the Texas State Library 58 with 7 unique, and the Bancroft Library of the University of California 50 of which 4 are unique. The importance of this bibliography in rounding up the elusive literature of the subject is obvious when we note that, of the 377 titles recorded, only seven appeared in Raines's *Bibliography of Texas*, 1896, and only nine in Rader's *South of Forty from the Mississippi to the Rio Grande*, 1947.

In his introduction Dr. Streeter lists the ten titles which he believes "might be first chosen for a Texas collection" and, of these fascinating rarities, he has eight, half of which are unique. Of the 13 next most important titles he has all but one and four are unique. So, of the 23 most distinguished Mexican imprints on Texas our author lacks only three and his holdings include no less than eight which are to be found in no other collection.

The importance of this part of the bibliography is that here we see the

[1] The first part, which included Texas imprints, 1817–1845, was reviewed in the *Quarterly* for April 1956, 194–196.

ly history of Texas through Spanish and Mexican eyes, generally the es of indifferent or antagonistic public officials. The territory was in a rmoil during much of this period. At first it was of little interest to the exicans, for the huge territory had only about 4,000 people of Euro- an blood, mostly public officials, priests in their little missions and the ners and vaqueros on the scattered ranches. Then emigrants began to ur into the territory from the United States and it began to dawn on e Mexicans that this vast land to the north and east might be worth nething after all. Political turmoil in the territory resulted from exico's revolt from Spain in the early 1820s and the local publications lect the changes of government until Texas became a province of the public of Mexico. The local imprints up to this point were few but portant and interesting to those concerned with the history of the gion. From the mid-thirties on to 1845 the literature here recorded lects the violent objection of the Mexicans to the influx of the North nericans, their years of revolt and the final establishment of the inde- ndent Republic of Texas. Only by a study of this elusive literature, w happily made available for the first time, is it possible to see from the exican point of view the activities of the turbulent years which lost em forever the vast territory of Texas.

Though newspaper files are not listed, except for a few special or extra ues having to do with Texas, the appendix records four official govern- ent periodicals of Coahuila and Texas during the period from 1829 to 35. Scholars will thank Dr. Streeter for telling them where to find the isive files of these important publications, many of which are in his own llection.

A bibliography and a thorough index complete the usefulness of this ique and scholarly contribution to the history of Texas and the uthwest.

enry Clay and the Art of American Politics. By CLEMENT EATON. (Boston: Little, Brown and Company, 1957. 209 pages, with notes, index. $3.50.)

Reviewed by JAMES J. HESLIN.

Clement Eaton presents a sympathetic interpretation of Henry Clay in is latest volume in the series "The Library of American Biography" ited by Professor Oscar Handlin of Harvard. A brief biography evitably runs the risk of lacking the cumulative effect of a full-length udy of a man and his times but, to this author's credit, a rounded por- ayal of Henry Clay does emerge. Clay, the lawyer and planter, is not erlooked in the account of Clay, the politician and statesman.

It was, of course, as a political figure that Henry Clay won renown, d it is worth recalling that his career in politics extended from 1806 to 52. In his day Clay's influence was great; Lincoln, for example, called

him his "beau ideal of a statesman." When Clay suffered defeat in his candidacy for the Presidency in 1844 his disappointed adherents showered him with gifts which ranged from casks of sherry to blooded horses. The citizens of Newark, New Jersey, went so far as to present Clay with a "high coach trimmed in red." It is somewhat ironic that a man identified with many of the major policies of the country before the Civil War should be remembered so strongly as a perennial Presidential candidate. To be sure, Clay remarked that he would rather be right than President, thereby coining a quotable phrase, but it is doubtful that this statement misled anyone, including himself. The fact was that Clay wanted to be President, but he had espoused too many causes and had gone on record too many times in defense of his views to be a successful candidate.

Clay's ability to face both ways on issues makes it difficult to classify him politically as either a conservative or a liberal and, sensibly, Professor Eaton has not attempted to do so. Clay sought to advance emancipation for the slaves but he also deplored agitation against slavery. He advocated strong friendship, on the part of the United States, for the nascent South American Republics but he was firmly against entangling alliances with them. Perhaps this ability to face both ways accounted for Clay's skill in compromise. Clay's major contribution to the history of the country was his rôle in helping to preserve the unity of the nation. His part in settling the crisis over the admission of Missouri as a State in 1820–21; the resolution of the settlement of the nullification controversy in 1833; and, finally, his heroic effort in the Compromise of 1850 constituted Clay's great gift to American history. The ability to reconcile conflicting interests is the essence of successful politics in a democracy and it was this ability which Clay had in large measure.

Professor Eaton has based this study chiefly on the collection of Henry Clay Papers at the University of Kentucky. The author admits to absorbing the atmosphere in and around Lexington, where Clay's home "Ashland" still stands, and this may have contributed, partly, to the understanding and sympathy with which Professor Eaton approaches his subject.

Gateway to a Nation: The Middle Atlantic States and Their Influence on the Development of the Nation. By D. G. Brinton Thompson. (Rindge, N. H.: Richard R. Smith, Publisher, Inc., 1956. 274 pages, index, biblio., maps and illus. $3.50.)

Reviewed by Milton W. Hamilton, *Senior Historian, Division of Archives and History, University of the State of New York, Albany.*

The interpretation of history in terms of regions is a laudable aim and represents a developing trend, especially in regard to the Middle States. Hence one opens this small but attractive book with anticipation. The

title, "Gateway to a Nation," implies an emphasis on immigration, a study of the great waves of national groups who have done so much to shape the destiny of this region. But the book is disappointing. It does not live up to the promise of "Gateway," nor does it really interpret the "Influence on the Development of the Nation." Instead we have here a sketchy résumé of the events of colonial and national history in the area —too brief to be adequate—relying for its interest upon personalities and episodes. Narrative may be a form of interpretation, to be sure, but this implies a mastery of material and an accuracy in detail which here is sadly lacking.

Any treatment of the common colonial experience of New York and Pennsylvania should certainly place some emphasis on the Palatines brought over to settle on the Hudson and to manufacture naval stores, who later populated the Mohawk Valley, and a portion of whom fled from Schoharie to play a significant rôle in Pennsylvania. The author has omitted the Palatines entirely.

The account of the Pontiac uprising (p. 75, incorrectly dated 1765) shows no knowledge of Peckham's study, the responsibility of Amherst's policy, and wrongly attributes the liquidation of the revolt to Bradstreet, who was more of a hindrance than a help to Bouquet and Sir William Johnson. In regard to Johnson, his capture of Niagara was at the head of 3,200 men, not just 900 Indians (p. 73). Again at the Battle of Oriskany (p. 104) the emphasis on the Indians overlooks the fact that the British regulars were the principal opposing force.

Again in dealing with the 1779 campaign against the Indians (p. 107) the expedition of Sullivan only is mentioned, whereas the over-all plan, linking New York and Pennsylvania, included the expedition of General Clinton through New York and down the Susquehanna. The author is apparently unfamiliar with the publications of the State of New York on the Clinton-Sullivan campaign.

Much of the latter part of the book deals with national politics, the campaigns and the personalities from the Middle States. Here again the sketchy treatment leads to grievous errors of interpretation. Perhaps the nomination of Horace Greeley in 1872 was "absurd," but one cannot hope to understand the election of that year without reference to the Liberal Republicans and the rôle of reformers in attacking the Grant administration. The story of the capture of Tweed by Spanish authorities who identified him from a Nast cartoon (p. 214) is a good one, but the author credits the wrong picture—it showed Tweed not as a murderer but as a kidnapper. Finally, for anyone who remembers the campaign of 1912, the Roosevelt-Taft split was certainly not just a matter of "slights" and "trivial personal affronts" (p. 247). This overlooks the whole impact of the Progressive Movement, the reactionary control of Congress and the LaFollette insurgency. This is more than over-simplification; it is a misreading of history.

There are many minor slips, such as "John" for Joseph Brant (p. 107), and "the Presidential election of 1898" (p. 218), which might be overlooked. The author may be commended for his attempted synthesis. The task remains for someone with a better grasp of the facts and a literary skill for successful summary and incisive interpretation.

New York City Folklore. Edited by B. A. Botkin. (New York: Random House, 1956. xiv + 492 pages, illus., index. $5.00.)

Reviewed by Charles L. Wallis, *Professor of English, Keuka College, Keuka Park, N.Y.*

Dr. Botkin's soundings of American folklore have been made in all sections of America, but none of his explorations offers more genuine delight than *New York City Folklore*. Some time ago he showed that there was exciting folklore along the well-beaten paths (see *Sidewalks of America*, Indianapolis: The Bobbs-Merrill Company, 1954). Here he shows that Manhattan has just about everything any other city has, and more.

In a format that has long since introduced folklore to millions of readers, Dr. Botkin has anthologized the pulse of a people through extracts, long and short, from myriad sources. The book aims to give a "clue to what New Yorkers think about and how they came to be that way." Dr. Botkin's generous definition of folklore makes it possible for him to include all of the "tellable, listenable, and repeatable" lore which New Yorkers have clung to, whatever their source. And the sources are varied and numerous: old newspapers and magazines, ancient and modern guidebooks, formal and informal histories, personal recollections and trivia. From his broad researches the editor has skillfully woven a pattern and a portrait of a people, their tall tales, stories, customs, traditions, language, and sayings. "To get under the collective skin of New Yorkers," the editor writes, "to feel their traditional pulse and heartbeat, and to catch the folk 'voice of the city' is the aim of this book." This purpose is accomplished admirably.

Perhaps it would be too much to expect to find a synthesis in so diverse a people as New Yorkers, yet this book somehow makes the reader sense underlying temperamental bonds which hold New Yorkers together in their world-within-the-world. This kaleidoscope of persons, places, and perspectives will intrigue those who have known little beyond the sidewalks of New York, for here is shown the *mise en scène* in which their million lives have been nurtured and thwarted, enriched and rewarded. Those beyond the Pale, who scoot in and out of Gotham with the greatest possible speed and those who wouldn't enter New York on a dare, will find in these pages fact and fancy, the derring-do of saint and sinner, the humor and pathos of a common humanity.

nklin D. Roosevelt: The Triumph. By FRANK FREIDEL. (Boston & Toronto: Little, Brown and Company, 1956. 433 pages, biblio., index, llus. $6.00.)

Reviewed by BERNARD BELLUSH, *Assistant Professor of History, College of the City of New York.*

This, the third volume of Freidel's great biography in progress, covers : period of Roosevelt's governorship and initial race for the Presidency. large measure it deals with Roosevelt's apprenticeship for that high ice, reveals his tremendous strides in self-education during the years 28-1932, and proves beyond doubt that the handiwork of his and ymond Moley's "Brain Trust" contained the outline of most everyng effected by the early New Deal.

Although Walter Lippmann claimed in 1932 that Governor Roosevelt s not unusually qualified for the Presidency, Professor Freidel clearly ows that by that time Roosevelt had already developed his techniques political leadership. As Governor, Roosevelt effectively manipulated recalcitrant, Republican-dominated legislature; stimulated, then acticed, public opinion to support the executive budget, power developnt, utility regulation, and social welfare legislation; gathered about n such future New Deal luminaries as Frances Perkins, Henry Mornthau, Jr., Leland Olds, Felix Frankfurter, Harry Hopkins and Samuel senman, and with their able assistance proved himself an outstanding ministrator. As party leader, Roosevelt masterminded a revivified mocratic organization which, with James A. Farley and Louis Howe, elected him Governor with a record-breaking plurality in 1930. osevelt's political genius is further illustrated by his dynamic use of ilsonian liberals and Congressional leaders to overcome the national position of conservative organization Democrats in 1932. At the same ne, sidetracking many devoted liberals and progressives for the sake political expediency, he used State organizations and party bosses, cluding "I-am-the-law" Hague of Jersey City, to spearhead his Presintial campaign.

In the light of some of Roosevelt's tactics as a practical politician, inding his historic break with Al Smith, it is not surprising that Prossor Freidel frequently takes Roosevelt to task for shortsightedness d opportunism. Among the objects of such criticism were Roosevelt's nservative banking policy, his 1929 tax program which favored the ealthy, and his unwillingness, until prodded into action by such rermers as Reverend John Haynes Holmes and Rabbi Stephen S. Wise, cope with Tammany Hall's corruption under Jimmy Walker's adinistration.

At first, like most political leaders, Roosevelt was not cognizant of e Great Depression's impact. Nevertheless, while President Hoover's

answer to the problem never advanced beyond a rigid philosophy and limited government intervention, Governor Roosevelt was soon attacking it with dramatic fervor and open-mindedness. He became the first major political figure to endorse unemployment insurance. His Temporary Emergency Relief Administration—pioneer of State relief agencies and forerunner of New Deal alphabetical agencies—provided relief to ten percent of the State's families. Yet his concept of relief lagged far behind Senator Robert F. Wagner's 1930 proposal for large-scale, long-range Federal public works. The Governor did not overtake the Senator until 1932.

Professor Freidel convincingly refutes the many detractors of Governor Roosevelt's well-defined programs in agriculture, conservation, power development, social welfare and unemployment relief. He illustrates Roosevelt's able generalship in 1932 with his dignified handling of the Walker hearings and his relegation of Prohibition and the tariff to minor rôles as campaign issues. The Walker decision insured him the independent votes; his Prohibition stand preserved the Southern vote, and his tariff position the farm vote. The great multitude, however, simply voted against "the Hoover depression."

This, the finest of Professor Freidel's three volumes, will remain for a long time the definitive work on Roosevelt as Governor and Presidential aspirant. Freidel has completely canvassed The Franklin D. Roosevelt Library and the papers of most outstanding contemporaries. Roosevelt's impact on the national scene can never be fully understood until one reads this dramatic, objective description of his governorship and of his race for the Presidency.

Essays on American History. By Mary H. Flournoy; Foreword by Marshall Fishwick. (Washington, D. C.: Peabody Press [419 New Jersey Ave., S.E.], 1956. vii + 55 pages. Paper, $1.00.)

Into this little booklet the custodian of Lee Chapel (Lexington, Va.) and author of *Sidelights on Southern History* (1939) has brought together seven popularly conceived, informative essays on (1) "America's First Legislative Assembly" at Jamestown, 1619, (2) "The Huguenot Influence in America," (3) "The Founding Mothers," (4) "Loyalists in the Revolutionary Period," (5) "Alexander Hamilton: Extraordinary American," (6) "Dr. Benjamin Rush: Versatile American," and (7) "Mount Vernon Today and Yesterday." Mrs. Flournoy's dedicated interest in American beginnings and wide reading of its literature are evidenced in these writings—sound though not profound. Her sources, mainly reliable secondary accounts and standard reference works, are cited only for the first and sixth essays, but the absence of such citations does not detract from the charm or value of the others.

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